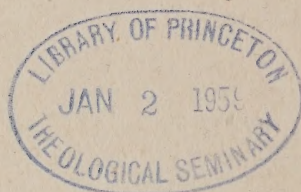
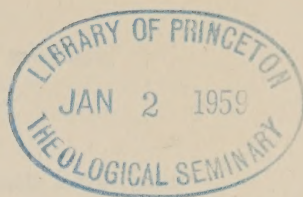
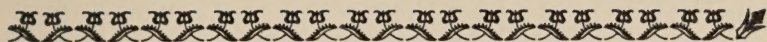


The
CASE of the
NAZARENE
REOPENED

by HYMAN E. GOLDIN



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The CASE of the NAZARENE REOPENED

by *Hyman E. Goldin*

THE CASE OF THE NATARINE BEOPVED

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A C H A L L E N G E

*"And he looked for justice, but behold violence,
For righteousness, but behold a cry."*

(ISAIAH V : 7)

For more than nineteen centuries, Christians have been accusing the Jews of having shed innocent blood, the blood of their lord Jesus Christ. They claim that almost two thousand years ago, the Great Sanhedrin, the highest tribunal in the land of Judea, unjustly convicted Jesus of the capital offense of blasphemy, and delivered him to the Roman Procurator to be crucified.

This accusation, based solely upon the testimony of the Four Gospels, has never been brought to trial in any court of law. No verdict and no decision of guilt against the Jews has ever been handed down by a competent tribunal. Yet, Christians have ever since been depriving the Jews of their legal and natural rights without due process of law.

The Jews cannot forever stand accused of this heinous crime by a unilateral opinion and suffer untold misery. They are entitled, at long last, to have their day in court and to refute this long-standing accusation. It is for this reason that the author is now forcing the issue, and is bringing this case to the attention of the world.

Your first impression, as Christians, of course, will be that this is special pleading; that the author, as a Jew, was prejudiced and biased in presenting his case, and that it is therefore nothing more than a one-sided affair. You will naturally say, that the author, as a Jew, based his contentions on arguments which are necessarily anti-Christian and faulty.

Hence, worthy Christians, I present my thesis to you, proving that the Jews cannot be held guilty of having shed the blood of Jesus, and I challenge you to refute it.

If you are unable to disprove my contention, or if you conveniently choose to ignore it, and thus tacitly admit that it is irrefutable and true, then I demand of you, in the name of justice, and of humanity, and of the very tenets of your

religion, that you openly admit and proclaim henceforth in all your houses of worship and in your parochial schools, that the Jews are innocent. I demand that you cease indoctrinating the tender minds of your children with the false accusation against the Jews that they were instrumental in causing the crucifixion of Jesus. I demand that you cease inciting your followers against the Jews with your Passion Plays before the approach of Easter. I demand in the name of justice that you begin now to right the deadly wrong committed against the Jews, by revising those chapters in the Four Gospels that tell of the trial of Jesus, and by deleting from the New Testament texts all accusations against the Jews. I demand in the name of all that is decent in Christianity and in the name of the conscience of mankind, that you forever exonerate the Jewish people of a crime they never committed.

The "kingdom of heaven" upon earth cannot be built on a foundation of hatred, of man's inhumanity to man.

H. E. G.

*New York,
November, 1947.*

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THE
CASE
OF THE
NAZARENE
REOPENED

PART ONE

Examination and Cross-Examination

*"Deliver me not over unto the will of mine adversaries;
for false witnesses are risen up against me, and such as
breathe out violence."*

PSALMS XXVII: 12



CHAPTER ONE

Direct and Cross-Examination of St. Matthew

SUPREME COURT OF JUSTICE

CHRISTENDOM

Plaintiffs

— against —

JEWRY

Defendants

Before:

"The Supreme Judge
of the World"

and a jury of
"Public Opinion"

ON INDICTMENT for murder, first degree.

Accusation filed either on Friday, the fifteenth day of Nisan (April 7, 30 C. E.), or Friday, the fourteenth day of Nisan (April 3, 33 C. E.).¹

Attorney for the Plaintiffs: Mr. Pablo Christiani.

Attorney for the Defendants: Mr. Hayyim Eliyahu ben Yehudah.

The Court: Are the Defendants ready to enter a plea to this indictment?

Mr. Ben Yehudah: Yes, Your Honor, the Defendants plead not guilty.

The Court: Is the Prosecution prepared to present its evidence and witnesses?

Mr. Christiani: We are, Your Honor.

(Mr. Christiani, on behalf of Christendom, opened to the jury as follows:)

Mr. Christiani: May it please the Court and the ladies and gentlemen of the jury:

The Grand Jury of the Christian world has indicted Jewry, the Defendants in this action, for the crime of murder in the first degree. Jewry has been charged with having abetted and conspired in the brutal killing of our lord Jesus Christ.

The facts of the case will show that our lord Jesus Christ came to his compatriots, the Jews, the Defendants in this case, and by the performance of many miracles proved to them, beyond a reasonable doubt, that he was, even as he had claimed to be, the only begotten son of his Father.

Our lord Jesus Christ came to his fellow Jews to cleanse them of their sins, to save them and their souls from everlasting perdition, and to bring them into the kingdom of God. But the ungrateful Jews, following the advice of their envious spiritual leaders, spitefully rejected their Saviour, and ignored his impassioned pleas.

Not satisfied, however, with merely rejecting and ignoring our lord Jesus Christ, these evil rulers of Judea on several occasions conspired to kill him. Finally, a few days before the Jewish festival, commonly known as Passover, either in the year 30 or 33 C. E.,¹ the Jewish jurists, composing the Great Sanhedrin, the highest tribunal in the land of Judea, assembled in the palace of their high priest Caiaphas, and made final plans for the execution of their vile conspiracy

against the life of our lord Jesus Christ.

Thereafter, either on Thursday the fourteenth day of Nisan (April 6, 30 C. E.), or on Thursday the thirteenth day of Nisan (April 2, 33 C. E.),¹ after midnight, led by the mercenary traitor Judas Iscariot, and accompanied by a Roman cohort and a rabble armed with swords and staves, the Jewish leaders caused the arrest of our Lord Jesus Christ in the dark of night as though he were a thief, and led him to the palace of their high priest Caiaphas, where the members of the Great Sanhedrin had convened for the purpose of holding court against our lord.

Relying partly upon the testimony of false witnesses and partly on his own admission, the court unanimously convicted our lord of the capital offense of blasphemy, an offense against the Jewish religion. This speedy, unjust trial and conviction was motivated by envy on the part of the Jewish jurists who feared the loss of their own power and of their extremely lucrative incomes as a result of the great popularity and following that our lord had gained among the Jews.

Early in the morning of the fourteenth or fifteenth of Nisan, that is, on the day preceding, or on the first day of the Festival of Passover,¹ the Jewish representatives bound our convicted lord and led him to the judgement hall of the Roman Procurator Lucius Pontius Pilate who was then in Jerusalem.

Pilate was well aware of the motives of the Jewish representatives. Several times he stated emphatically in open court that our lord Jesus Christ was innocent of any crime, and he protested against his prosecution by the Jewish leaders.

The Jews, however, were insistent and loudly demanded that our lord be crucified. Pilate, merely to satisfy the clamor of the infuriated mob, delivered the innocent Christ to the executioners to suffer the most disgraceful and most horrible of deaths—CRUCIFIXION—together with two common thieves who were crucified on either side of him.

Ladies and gentlemen of the jury, if you find these charges proven beyond a reasonable doubt—and I am certain that you will find them so proven—Christendom demands of you a verdict against the Great Sanhedrin as a body, and against each and

every member that composed that Sanhedrin. But Christendom demands more than that. It demands that you find guilty of murder in the first degree not only the Great Sanhedrin of nineteen hundred years ago together with the Jewish people of that time, but all Jews of all lands, and of all ages and generations. All must be punished by death.

(Mr. Ben Yehudah on behalf of the Defendants, opened to the jury as follows:)

Mr. Ben Yehudah: If it please the Court and the ladies and gentlemen of the jury:

I speak in behalf of Jews everywhere, living and dead and still unborn, to prove them innocent of the heinous charge made by Christendom. The Defense will prove beyond all reasonable doubt that this accusation by Christendom stands as the most tragic libel in the history of the human race.

It is our intention to prove that the Jewish court at Jerusalem did not and could not have accused and convicted the Nazarene of the capital offense of blasphemy as has been alleged by Christendom. It shall be proven, ladies and gentlemen of the jury, that this accusation of murder against the Jewish people sprang solely from a warped imagination twisted by the bitter hatred and malice that the plaintiff Christendom bore against the Defendants for having rejected the Nazarene as their Messiah.

I will further prove, ladies and gentlemen of the jury, that the sole object in the Prosecution's attempt to exonerate the Roman Procurator Lucius Pontius Pilate was to curry favor with the mighty Romans whom Christendom wished to convert from paganism. Absolving the strong, they placed the blame upon the subjugated and defenseless people of Judea.

Ladies and gentlemen of the jury, I ask only that you put aside all prejudice, that you face the facts that will be presented to you with courage and candor. Then I shall have no reason to fear your verdict. Whatever that verdict may be, it comes too late to succor those who perished in the fires of the Inquisitions, the pogroms, the furnaces of Maidanek and Oswiecim. It comes too late to alter the tragedy of the past nineteen hundred years. But there is still time for tomorrow—

time to prevent new wrongs if not to right the old ones—time to stanch the flow of blood which, for the Jews, has been the measure of time itself. I ask a verdict of Innocent. Thank you.

The Court: The Prosecution may now call its witnesses.

St. Matthew (of the Province of Galilee, Palestine), called as the first witness on behalf of the Prosecution, being duly sworn, testified as follows:

Direct examination by Mr. Christiani.

Q. What is your name, please? A. Levi, or Levi the son of Alphaeus,² commonly known as St. Matthew.

Q. Where do you reside? A. I am generally to be found at the place of toll near Capernaum, in Galilee, on the road from Damascus to the Mediterranean.³

Q. Now, St. Matthew, I show you this document, bearing the title "The Gospel According to St. Matthew," and ask you to examine it carefully and state whether you can identify it as a document written by you. A. (After examining the document) Yes, sir. I recognize this document and identify it as an authentic record written by me.

Mr. Christiani: Your Honor, I offer in evidence this document, known as "The Gospel According to St. Matthew," and ask Counsel for the Defense whether he will concede that this is an authentic copy.

Mr. Ben Yehudah: I so concede, Your Honor.

("The Gospel According to St. Matthew" is received in evidence and marked "Plaintiffs' Exhibit 1.")

(Direct examination resumed by Mr. Christiani).

Q. Now, St. Matthew, I show you this document marked "Plaintiffs' Exhibit 1," and ask you whether the statements made by you therein are based upon what you personally saw and heard, or are they wholly or partly based on tradition or hearsay? A. What I have stated in this document is the Gospel truth, sir; it is based chiefly upon what I personally heard and saw.

Q. Can you recall accurately what you have written in this document, or do you wish to refer to the text in order to refresh your recollection? A. I would prefer to read from the text.

Q. Very well, sir. Please tell the Court and the ladies and gentlemen of the jury about the events that occurred two days before the alleged murder of our lord Jesus Christ. A. (The witness reads from Matthew XXVI : 1-2:)

1 And it came to pass, when Jesus had finished all these sayings, he said to his disciples. 2 Ye know that after two days is the feast of passover,⁴ and the Son of man is betrayed to be crucified.

Q. Now, St. Matthew, when you state that Jesus spoke to his disciples, to whom do you refer? A. I mean the twelve disciples chosen by our lord, known as the Twelve Apostles.

Q. And were you one of the chosen Twelve? A. Yes, sir, I was.⁵

Q. Did you, then, hear Jesus make this prediction of betrayal? A. I did.

Q. Please proceed. A. (The witness resumes reading from the text, Matthew XXVI : 3-5:)

Then assembled together the chief priests, and the scribes,⁶ and the elders of the people,⁶ unto the palace of the high priest, who was called Caiaphas,⁷ 4 And consulted that they might take Jesus by subtilty, and kill him.⁸ 5 But they said, Not on the feast day, lest there be an uproar among the people.

Q. Who were those chief priests, and scribes, and elders of whom you spoke? A. They were the seventy-one jurists who composed the Great Sanhedrin at Jerusalem, the Supreme Council in the land of Judea.⁹

Q. Now, St. Matthew, did any significant incident occur immediately after this conspiracy of the Sanhedrists? A. Yes, sir; a woman anointed the head of our lord with a costly vial of oil. (The witness reads from the text, Matthew XXVI : 6-13:)

6 Now when Jesus was in Bethany, ¹⁰ in the house of Simon the leper, 7 There came unto him a woman having an alabaster box of very precious ointment, and poured it on his head, as he sat at meat. 8 But when the disciples saw it, they had indignation, saying, To what purpose is this waste?

9 For this ointment might have been sold for much, and given to the poor. 10 When Jesus understood it, he said unto them, Why trouble ye the woman? for she hath wrought a good work upon me. 11 For ye have the poor always with you; but me ye have not always. 12 For in that she hath poured this ointment on my body, she did it for my burial.¹¹ 13 Verily ¹² I say unto you, Wheresoever this Gospel shall be preached in the whole world, there shall also this, that this woman hath done, be told for a memorial of her.

Q. Now, St. Matthew, tell the Court and the jury what followed. A. (The witness reads from the text, Matthew XXVI : 14-16:)

14 Then one of the twelve, called Judas Iscariot, ¹³ went unto the chief priests, 15 And said unto them, What will ye give me, and I will deliver him unto you?¹⁴ And they covenanted with him for thirty pieces of silver.¹⁵ 16 And from that time he sought opportunity to betray him.¹⁶

Q. Please continue with your narrative. A. (The witness reads Matthew XXVI : 17-19:)

17 Now the first day of the feast of unleavened bread, the disciples came to Jesus, saying unto him, ¹⁷ Where wilt thou that we prepare for thee to eat the passover? ¹⁸ 18 And he said, Go into the city to such a man, and say unto him, The master saith, My time is at hand; I will keep the passover at thy house with my disciples. 19 And the disciples did as Jesus had appointed them; and they made ready the passover.

Q. Now, for the purposes of clarification, will you please state whether you were one of those disciples who spoke to Jesus and helped prepare the passover at this man's house? A. Yes, sir, I was one of them.

Q. Please go on. A. (The witness reads Matthew XXVI : 20-29:)

20 Now when the even was come, he sat down with the twelve. 21 And as they did eat, he said, Verily I say unto you, that one of you shall betray me. 22 And they were exceedingly sorrowful, and began everyone of them to say unto him, Lord, is it I? 23 And he answered and said, He that

dippeth his hand with me in the dish, the same shall betray me. 24 The Son of man goeth as it is written of him: but woe unto that man by whom the Son of man is betrayed! It had been good for that man if he had not been born.¹⁹ 25 Then Judas, which betrayed him, answered and said, Master,²⁰ is it I? He said unto him, Thou hast said.²¹ 26 And as they were eating, Jesus took bread and brake it, and blessed it,²² and gave it to his disciples, and said, Take, eat: this is my body. 27 And he took the cup, and gave thanks, and gave it to them, saying, Drink ye all of it. 28 For this is my blood²³ of the new testament, which is shed for many for the remission of sins.²⁴ 29 But I say unto you, I will not drink henceforth of this fruit of the vine, until that day when I drink it new with you in my father's kingdom.²⁵

Q. Please proceed. A. Next came the lord's prediction that Peter would deny him. (The witness reads from the text, Matthew XXVI : 30-35:)

30 And when they sang an hymn, they went out into the mount of Olives. ²⁶ 31 Then saith Jesus unto them, All ye shall be offended because of me this night: for it is written, I will smite the shepherd, and the sheep of the flock shall be scattered abroad. 32 But after I am risen again, I will go before you into Galilee. 33 Peter answered and said unto him, Though all *men* shall be offended because of thee, *yet* will I never be offended. 34 Jesus said unto him, Verily I say unto thee, that this night, before the cock crow, thou shalt deny me thrice. 35 Peter said unto him, Though I should die with thee, yet will I not deny thee. Likewise also said all the disciples.

Q. Now, St. Matthew, have you anything more to add? A. Yes, sir. Next came the agony of our lord in Gethsemane. (The witness reads from the text, Matthew XXVI : 36-46:)

36 Then cometh Jesus with them unto a place called Gethsemane, and saith unto the disciples, Sit ye here, while I go and pray yonder. 37 And he took with him Peter and the two sons of Zebedee, and began to be sorrowful and very heavy. ²⁷ 38 Then saith he unto them, My soul ²⁸ is exceeding sorrowful, even unto death: ²⁹ tarry ye here and

watch with me. ³⁰ 39 And he went a little farther, and fell on his face, and prayed, saying, O my Father, if it be possible, let this cup pass from me; nevertheless not as I will, but as thou wilt. ³¹ 40 And he cometh unto the disciples, and findeth them asleep, and saith unto Peter, What could ye not watch with me one hour? 41 Watch and pray, that ye enter not into temptation: the spirit indeed is willing, but the flesh is weak. 42 He went away again the second time, and prayed saying, O my Father, if this cup may not pass away from me, except I drink it, thy will be done. ³² 43 And he came and found them asleep again: for their eyes were heavy. 44 And he left them, and went away again, and prayed the third time, saying the same words. ³³ 45 Then cometh he to his disciples, and saith unto them, Sleep on now, and take your rest: ³⁴ behold the hour is at hand, and the Son of man is betrayed into the hands of sinners. 46 Rise, let us be going: behold he is at hand that doth betray me.

Mr. Ben Yehudah: Your Honor, I move that this description of the agony at Gethsemane, be stricken from the record, on the witness' own admission that it is based on mere hearsay.

The witness testified that the Nazarene had called only three of the twelve disciples to be with him, namely, Peter and the two sons of Zebedee (verses 36-37), and this witness together with the other seven disciples were ordered by the Nazarene to remain behind. The witness, therefore, could not have heard what the Nazarene said, and could not have seen what occurred.

According to the witness' own testimony, he personally had nothing to do with the sleeping episode, and the alleged conversation was only between the Nazarene and the three selected disciples. Since the three disciples fell asleep on this occasion, for which they were rebuked by the Nazarene, even they could not have heard the exact words of the Nazarene's prayer. Who, then, was present to record the exact words of the prayer on the three different occasions?

Mr. Christiani: The Gospel's statements must not be doubted, but must be accepted with implicit faith. I, therefore, strenuously object to the statement of Counsel that my

witness' testimony is based on hearsay.

Mr. Ben Yehudah: Your Honor, I must maintain that hearsay evidence cannot be admitted in a court of law. We are not concerned with religious sentiments and theological gymnastics, but with objective, verifiable fact. Nevertheless, in order that the Prosecution may have no shadow of reason to complain, I freely withdraw my objection, and ask the Court to permit this incident, known as the "agony at Gethsemane," to remain on the record.

The Court: It is so ordered. Proceed with your examination, Mr. Christiani.

Mr. Christiani: Q. Now, St. Matthew, please tell the Court and the ladies and gentlemen of the jury what occurred after the incident at Gethsemane? A. Our lord was arrested. (The witness reads from the text, Matthew XXVI : 47-56:)

47 And while he yet spake, lo, Judas, one of the twelve, came, and with him a great multitude ³⁵ with swords and staves,³⁶ from the chief priests and elders of the people.³⁷ 48 Now he that betrayed him gave them a sign, saying, Whomsoever I shall kiss, that same is he: hold him fast.³⁸ 49 And forthwith he came to Jesus, and said, Hail, ³⁹ master, and kissed him. 50 And Jesus said unto him, Friend, wherefore art thou come? Then came they, and laid hands on Jesus and took him. 51 And, behold, one of them which were with Jesus stretched out his hand, and drew his sword, and struck a servant of the high priest's, and smote off his ear. ⁴⁰ 52 Then said Jesus unto him, Put up again thy sword into his place: for all they that take the sword shall perish with the sword.⁴¹ 53 Thinkest thou that I cannot now pray to my Father, and he shall presently give me more than twelve legions of angels? 54 But how then shall the scriptures be fulfilled, that thus it must be? ⁴² 55 In that same hour said Jesus unto the multitude, Are ye come out as against a thief with swords and staves for to take me? I sat daily with you teaching in the temple, ⁴³ and ye laid no hold on me. 56 But all this was done that the scriptures of the prophets might be fulfilled. Then all the disciples forsook him and fled. ⁴⁴

Q. Please go on, St. Matthew, and tell the Court and the jury what occurred after this. A. Next came the trial of our

lord Jesus Christ. (The witness continues to read from the text Matthew XXVI : 57-68:)

57 And they that had laid hold on Jesus led him away to Caiaphas the high priest, where the scribes and the elders were assembled. 58 But Peter followed him afar off into the high priest's palace, and went in, and sat with the servants, to see the end, 59 Now the chief priests, and elders, and all the council, ⁴⁵ sought false witness against Jesus, to put him to death; 60 But found none: yea, though many false witnesses came, *yet* found they none. At the last came two false witnesses, 61 And said, *This fellow* said, I am able to destroy the temple of God, and to build it in three days. ⁴⁶ 62 And the high priest arose, and said unto him, Answerest thou nothing? *what is it which* these witness against thee? 63 But Jesus held his peace. And the high priest answered and said unto him, I adjure thee by the living God, ⁴⁷ that thou tell us whether thou be the Christ, the Son of God. 64 Jesus said unto him, thou hast said: ⁴⁸ nevertheless I say unto you, hereafter shall ye see the Son of man⁴⁹ sitting on the right hand of power, and coming in the clouds of heaven. ⁵⁰ 65 Then the high priest rent his clothes, saying, He hath spoken blasphemy; what further need have we of witnesses? behold, now ye have heard his blasphemy. 66 What think ye? They answered and said, He is guilty of death. 67 Then did they spit in his face, and buffeted him; and others smote *him* with the palms of their hands, 68 Saying, Prophecy unto us, thou Christ, who is he that smote thee?

Mr. Ben Yehudah: Your Honor, I move that the entire testimony of the witness relating to the trial by the Jewish court be stricken from the record. The witness has admitted (verse 58) that only Peter followed the Nazarene after the alleged arrest; therefore the witness could not have heard or seen what occurred in the palace of the high priest. Consequently, his testimony is nothing but hearsay, and hence is inadmissible. Besides, how does the witness know that the Jewish jurists were looking particularly for *false* witnesses? He does not quote the judges as expressly stating that they were seeking perjured testimony. Did he presume to read their minds? Finally, on what grounds does this witness brand the

witnesses who testified against the Nazarene as false? Their testimony was neither refuted nor contradicted in court, but remained unchallenged. For these reasons I ask that the witness' testimony be disregarded and stricken from the record.

Mr. Christiani: The veracity of the Gospels, Your Honor, is not subject to doubt.

Mr. Ben Yehudah: Although we are now in a court of law and not in an ecclesiastical court, and although controversies should be decided on legal, and not on religious principles, I nevertheless withdraw my objection, Your Honor.

The Court: Proceed with your examination.

(By Mr. Christiani:) Q. St. Matthew, tell the Court and the ladies and gentlemen of the jury what took place after the trial in the palace of Caiaphas. A. Peter's denial followed, sir. (The witness reads Matthew XXVI : 69-75:)

69 Now Peter sat without in the palace: and a damsel came unto him, saying, Thou also wast with Jesus of Galilee. 70 But he denied before them all, saying, I know not what thou sayest. 71 And when he had gone out into the porch, ⁵¹ another maid saw him, ⁵² and said unto them that were there, This fellow was also with Jesus of Nazareth. 72 And again he denied with an oath, ⁵³ I do not know the man. 73 And after a while came unto him they that stood by, and said unto Peter, Surely thou also art one of them; for thy speech betrayeth thee. ⁵⁴ 74 Then began he to curse ⁵⁵ and to swear, saying, I know not the man. And immediately the cock crew. ⁵⁶ 75 And Peter remembered the word of Jesus which said unto him, Before the cock crow, thou shalt deny me thrice. And he went out and wept bitterly.

Q. Now, St. Matthew, please tell the Court and the jury what happened after Peter's denial of our lord. A. This incident was followed by the morning session of the Jewish court. (The witness reads Matthew XXVII : 1-2:)

1 When the morning was come, ⁵⁷ all the chief priests and the elders of the people took counsel against Jesus to put him to death; ⁵⁸ 2 And when they had bound him, they led him away, and delivered him to Pontius Pilate the governor. ⁵⁹

Q. St. Matthew, please tell us what happened next. A. Judas Iscariot repented, and then hanged himself. (The witness continues reading from the text, Matthew XXVII : 3-10:)

3 Then Judas, which had betrayed him, when he saw that he was condemned, repented himself, and brought again the thirty pieces of silver to the chief priests and elders. 4 Saying, I have sinned in that I have betrayed the innocent blood. ⁶⁰ And they said, What is that to us? see thou to that. 5 And he cast down the pieces of silver in the temple, ⁶¹ and departed, and went and hanged himself. ⁶² 6 And the chief priests took the silver pieces, and said, It is not lawful for to put them into the treasury, because it is the price of blood. 7 And they took counsel, and bought with them the potter's field, to bury strangers in. ⁶³ 8 Wherefore that field was called, The field of blood, unto this day. 9 Then was fulfilled that which was spoken by Jeremy the prophet, saying, And they took the thirty pieces of silver, the price of him that was valued, whom the children of Israel did value; 10 And gave them for the potter's field as the Lord appointed me. ⁶⁴

Q. What took place when the Jewish leaders brought our lord before the Roman Procurator, Lucius Pontius Pilate? A. Our lord was tried before Pilate. (The witness reads Matthew XXVII : 11-25:)

11 And Jesus stood before the governor: and the governor asked him, saying, Art thou the king of the Jews? And Jesus said unto him, Thou sayest. 12 And when he was accused of the chief priests and elders, he answered nothing. ⁶⁵ 13 Then said Pilate unto him, Hearest thou not how many things they witness against thee? ⁶⁶ 14 And he answered him to never a word; ⁶⁵ insomuch that the governor marvelled greatly. ⁶⁷ 15 Now at that feast the governor was wont to release unto the people a prisoner whom they would. ⁶⁸ 16 And they had a notable prisoner, called Barabbas. 7 Therefore when they were gathered together, Pilate said unto them, Whom will ye that I release unto you? Barabbas, or Jesus which is called Christ? ⁶⁹ 18 For he knew that for envy they had delivered him. 19 When he was sat down in his judgement seat, his wife sent unto him, saying,

Have thou nothing to do with that just man: for I have suffered many things this day in a dream because of him. ²⁰ But the chief priests and elders persuaded the multitude that they should ask Barabbas, and destroy Jesus. ⁷⁰ ²¹ The governor answered and said unto them, Whether of the twain will ye that I release unto you? They said, Barabbas. ⁷¹ ²² Pilate said unto them, What shall I do then with Jesus that is called Christ? They all said unto him, Let him be crucified. ²³ And the governor said, Why, what evil hath he done? But they cried out the more, saying, Let him be crucified. ²⁴ When Pilate saw that he could prevail nothing, but that rather a tumult was made, he took water, and washed his hands before the multitude, ⁷² saying, I am innocent of the blood of this just person: see ye to it. ²⁵ Then answered all the people, and said, His blood be on us, and on our children. ⁷³

Mr. Ben Yehudah: Your Honor, I move that this testimony concerning the trial before Pilate be stricken from the record, as incompetent, irrelevant, immaterial, and inadmissible, being mere hearsay evidence. The witness failed to state whether he himself was present at the alleged trial. Neither did he state where the supposed trial was held. And in general the statements made by the witness are vague and ambiguous. I therefore respectfully move that the entire testimony be stricken from the record.

Mr. Christiani: I strenuously object to the statement of counsel. For nineteen centuries, Christendom, comprising uncounted millions of people, have implicitly believed that the statements of my witness are the Gospel truth. My learned opponent cannot now be permitted to challenge the veracity of this testimony.

Mr. Ben Yehudah: Very well, Your Honor. In deference to the witness, I withdraw my objection at this time.

The Court: I wish to compliment counsel for his indulgence. Please proceed with the examination of the witness.

Mr. Christiani: Q. Please tell the Court and the jury what happened after the trial. A. Our lord Jesus Christ was mocked and maltreated by the Roman soldiers. (The witness reads Matthew XXVII : 26-30:)

26 Then released he Barabbas unto them: and when he had scourged Jesus, he delivered him to be crucified. 27 Then the soldiers of the governor took Jesus into the common hall, and gathered unto him the whole band of soldiers. 28 And they stripped him, and put on him a scarlet robe. 29 And when they had platted a crown of thorns, they put it upon his head, and a reed in his right hand: and they bowed the knee before him, saying, Hail, king of the Jews! 30 And they spit upon him, and took the reed, and smote him on the head.

Q. Now, St. Matthew, tell the Court and the jury what happened after this base mockery. A. I shall, sir. (The witness reads Matthew XXVII : 31-56:)

31 And after that they had mocked him, they took the robe off from him, and put his own raiment on him, ⁷⁴ and led him away to crucify him. 32 And as they came out, they found a man of Cyrene, ⁷⁵ Simon by name: him they compelled to bear his cross.⁷⁶ 33 And when they were come unto a place called Golgotha, ⁷⁷ that is to say, a place of a skull, 34 They gave him vinegar to drink mingled with gall: and when he had tasted thereof, he would not drink. 35 And they crucified him, and parted his garments, casting lots: that it might be fulfilled which was spoken by the prophet, They parted my garments among them, and upon my vesture did they cast lots. 36 And sitting down they watched him there; 37 And set up over his head his accusation written, THIS IS JESUS THE KING OF THE JEWS. 38 Then there were two thieves crucified with him, one on the right hand, and another on the left.⁷⁸ 39 And they that passed by reviled him, wagging their heads,⁷⁹ 40 And saying, Thou that destroyest the temple, and buildest it in three days, save thyself. If thou be the Son of God, come down from the cross. 41 Likewise also the chief priests mocking him, with the scribes and elders, said, 42 He saved others; himself he cannot save. If he be the king of Israel, let him now come down from the cross, and we will believe him. 43 He trusted in God;⁸⁰ let him deliver him now, if he will have him: for he said, I am the Son of God. 44 The thieves also which were crucified with him, cast the same in his teeth. 45 Now from the sixth hour there was darkness over

all the land unto the ninth hour.⁸¹ 46 And about the ninth hour Jesus cried with a loud voice, saying, Eli, Eli, lama sabachthani? that is to say, My God, my God, why hast thou forsaken me? 47 Some of them that stood there, when they heard that, said, This man calleth for Elias.⁸² 48 And straightway one of them ran, and took a sponge, and filled it with vinegar, and put it on a reed, and gave him to drink. 49 The rest said, Let be, let us see whether Elias will come to save him. 50 Jesus, when he had cried again with a loud voice, yielded up the ghost.⁸³

Q. Now, St. Matthew, please tell the Court and the jury what happened after the crucifixion. A. The portents came next. (The witness reads Matthew XXVII : 51-56:)

51 And, behold, the veil of the temple was rent in twain from the top to the bottom; and the earth did quake, and the rocks rent; 52 And the graves were opened; and many bodies of the saints⁸⁴ which slept arose, 53 And came out of their graves after his resurrection, and went into the holy city, and appeared unto many. 54 Now when the centurion, and they that were with him, watching Jesus, saw the earth quake, and those things that were done, they feared greatly, saying, Truly this was the Son of God. 55 And many were there beholding afar off, which followed Jesus from Galilee, ministering unto him: 56 Among which was Mary Magdalene,⁸⁵ and Mary the mother of James and Joses, and the mother of Zebedee's children.⁸⁶

Mr. Ben Yehudah: I object, Your Honor, to the testimony given by the witness concerning the portents, or miracles, and ask that it be stricken from the record. It is not only incompetent, irrelevant and immaterial, but it is not in conformity with human experience. Furthermore, we must assume it to be based entirely on hearsay, as the witness did not state that he was present and actually saw the portents.

Mr. Christiani: Your Honor, to reject testimony of this nature would undermine the very foundation of the Christian religion. The miracles recorded in our Gospels are the sole proof of our lord's godhood and are indispensable to our faith. This is no ordinary, everyday testimony, and we can

not apply to it ordinary rules of evidence. I therefore move that the testimony relating to the portents remain on record.

Mr. Ben Yehudah: Your Honor, to please my opponent, I withdraw my objection for the present, with the understanding that the Court will permit me to renew this objection later on if I deem it necessary.

The Court: I order it so recorded. Proceed with the examination of the witness.

Mr. Christiani: Q. Now, St. Matthew, please tell the Court and the jury what took place after this. A. Yes, sir. The interment of our lord came next. (The witness reads Matthew XXVII : 57-61:)

57 When even was come, there came a rich man of Arimathaea, named Joseph, who also himself was Jesus' disciple: 58 He went to Pilate, and begged the body of Jesus. Then Pilate commanded the body to be delivered. 59 And when Joseph had taken the body, he wrapped it in a clean linen cloth, 60 And laid it in his own new tomb, which he had hewn out in the rock: and he rolled a great stone to the door of the sepulchre, and departed. 61 And there was Mary Magdalene, and the other Mary, sitting over against the sepulchre.

Q. What happened then? A. The Pharisees made the sepulcher of our lord secure. (The witness reads Matthew XXVII : 62-66:)

62 Now the next day, that followed the day of preparation, ⁸⁷ the chief priests and the Pharisees came together unto Pilate, 63 Saying, Sir, we remember that the deceiver said, while he was yet alive. After three days I will rise again.

64 Command therefore that the sepulchre be made sure until the third day, lest his disciples come by night, and steal him away, and say unto the people, he is risen from the dead; so the last error shall be worse than the first. 65 Pilate said unto them, Ye have a watch: go your way, make it as sure as ye can. 66 So they went, and made the sepulchre sure, sealing the stone, and setting a watch.⁸⁸

Q. Please tell us, St. Matthew, what happened after this. A. The resurrection of our lord Jesus Christ then took place.

(The witness reads Matthew XXVIII : 1-8:)

1 In the end of the Sabbath, as it began to dawn toward the first day of the week, came Mary Magdalene and the other Mary to see the sepulchre. 2 And, behold, there was a great earthquake: for the angel of the Lord descended from heaven, and came and rolled back the stone from the door, and sat upon it. 3 His countenance was like lightning, and his raiment white as snow; 4 And for fear of him the keepers did shake, and became as dead men, 5 And the angel answered and said unto the women, Fear ye not: for I know that ye seek Jesus, which was crucified. 6 He is not here: for he is risen, as he said. Come, see the place where the Lord lay. 7 And go quickly, tell his disciples that he is risen From the dead; and, behold, he goeth before you into Galilee; there shall ye see him: lo, I have told you. 8 And they departed quickly from the sepulchre with fear and great joy, and did run to bring his disciples word.

Mr. Ben Yehudah: Your Honor, I respectfully move that the testimony relating to the resurrection be stricken from the record. First, it is incompetent, irrelevant and immaterial, as it has no bearing whatsoever upon the issue involved in this case. Secondly, this narrative is not in conformity with human experience. Thirdly, it is clearly based on hearsay evidence, for the witness himself averred that the angel spoke only to two women, and that they alone saw the empty sepulcher.

Mr. Christiani: I maintain, Your Honor, that this narrative does have a bearing upon the case at bar. It conclusively proves that Jesus, who suffered death at the hands of his conspirators, was not a mere mortal. Without this proof, there would be nothing to convince us that Jesus was the Son of God in the flesh, and that he was equal with his Father. The narrative concerning the resurrection is, therefore, the mainstay of the Christian religion.⁸⁹ Furthermore, the resurrection of our lord will prove that the Jewish representatives were not justified in convicting him of the crime of blasphemy. Besides, if this incident be stricken from the record on the ground that it is hearsay, then many other incidents related by the witness should be stricken from the record on the same grounds. But

my learned opponent has on former occasions agreed to withdraw similar objections.

Mr. Ben Yehudah: Very well, Your Honor, I withdraw this objection, too, although I violate all laws of evidence by doing so. I therefore reserve the right, as on previous occasions, to renew the motion whenever I find it advisable.

The Court: It is so ordered. Proceed.

Mr. Christiani: Go on, St. Matthew. A. Yes, sir. (The witness reads XXVIII : 9-15:)

9 And as they went to tell the disciples, behold, Jesus met them, saying, All hail. And they came and held him by the feet, and worshipped him. 10 Then said Jesus unto them, Be not afraid: go tell my brethren that they go into Galilee, and there shall they see me. 11 Now when they were going, behold, some of the watch came into the city, and showed unto the chief priests all the things that were done. 12 And when they were assembled with the elders, and had taken counsel, they gave large money unto the soldiers, 13 Saying, Say ye, His disciples came by night, and stole him away while we slept. 14 And if this come to the governor's ears, we will persuade him, and secure you. 15 So they took the money, and did as they were taught: and this saying is commonly reported among the Jews until this day.

Q. Now, St. Matthew, is there any other incident you wish to report to the Court and the jury? A. Yes, sir. I should like to tell of the appearance of our lord Jesus to his disciples in Galilee. (The witness reads Matthew XXVIII : 16-20:)

16 Then the eleven disciples went away into Galilee, into a mountain where Jesus had appointed them. 17 And when they saw him, they worshipped him: but some doubted. 18 And Jesus came and spake unto them, saying, All power is given unto me in heaven and in earth. 19 Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: 20 Teaching them to observe all things whatsoever I have commanded you: and, lo, I am with you alway, even unto the end of the world.

Q. For the purposes of clarification, St. Matthew, will you

please tell the Court and the ladies and gentlemen of the jury whether you were in the group of eleven in Galilee when our lord Jesus Christ appeared there? A. Decidedly, sir. I was present and heard our lord speak the very words which I have quoted.

Mr. Christiani: That is all; the witness is yours, sir.

Cross-examination by Mr. Ben Yehudah:

Q. St. Matthew, you testified (XXVI : 2) that the Nazarene referred to himself as "the son of man."⁹⁰ To your knowledge did he ever refer to himself as the "son of God"? A. No, sir, not to my knowledge. He was called "son of God" on a few occasions, by Satan,⁹¹ by a man who had devils,⁹² by demons,⁹³ by two men possessed with devils,⁹⁴ but never by himself.

Q. He did, however, accept the title when Martha and St. Peter designated him as such?⁹⁵ A. Yes, sir.

Q. You testified (XXVI : 2) that the Nazarene said to his disciples: "After two days is the feast of passover, and the son of man is betrayed to be crucified." Does this mean that the Nazarene prophesied that he would be crucified on the Feast of Passover? A. Yes, sir.⁹⁶

Q. I take it, then, that this prophecy was made by the Nazarene on a Wednesday? That is correct.⁹⁷

Q. You testified that the Nazarene had predicted on several occasions that he would be betrayed and killed.⁹⁸ Did you or any of your colleagues, the Twelve Disciples, make any attempt to find out who the betrayer would be so as to avoid the impending danger to your master? A. No, sir; neither I nor my colleagues made any attempt.

Q. Did Jesus at that time know who the betrayer would be? A. Yes, sir, he did.⁹⁹

Q. Did the Nazarene willingly and with complete equanimity submit and resign himself to the fate preordained for him by his Father? Did he not on several occasions express sorrow and regret that this had to happen?¹⁰⁰ A. He did, sir.

Q. If such was the case, St. Matthew, why didn't the Nazarene make any attempt to avoid the impending catastrophe

by dismissing the traitor Judas Iscariot from his saintly group of Twelve? Why did he retain a base thief,¹⁰¹ a common mercenary traitor, as one of his chosen Twelve to the very moment of his arrest? A. All that had been preordained, sir.

Q. You testified (XXVI : 2) that the Nazarene prophesied that he would be crucified. In "Plaintiffs' Exhibit 1" (XX : 18-19) you stated that at least once before the Nazarene had foretold that he "shall be delivered to the Gentiles to mock, and to scourge, and to crucify him." Did he here, too, refer to a crucifixion by the Gentiles and not by the Jews? A. I presume he did.

Q. You stated (XXVI : 3) that the Jewish leaders gathered in the palace of the high priest, "who was called Caiaphas." Is it not true, St. Matthew, that the high priest at the Temple of Jerusalem was a very prominent person known to every Jew in the land? A. Yes, sir. Everyone knew the high priest.

Q. Why, then, did you consider it necessary to describe the high priest by the expression "who was called Caiaphas"? Why did you not simply say "the high priest Caiaphas"? A. The high priest was a well-known national figure. I really do not know why this description was necessary.¹⁰²

Q. Now, St. Matthew, you testified (XXVI : 3-5) that the Jewish leaders gathered in a secret session¹⁰³ in the palace of the high priest. Were you present at that session? A. No, sir.

Q. How do you know, then, what took place at that secret meeting, and what the Jewish leaders discussed? A. There were rumors, sir. And besides, I had the benefit of divine inspiration.¹⁰⁴

Q. When you averred (XXVI : 4) that the Jewish dignitaries, "consulted that they might take Jesus by subilty, and kill him," did you mean by this that they actually wished to commit murder, to execute him without due process of law? A. Yes, sir. They wished to commit simple murder.¹⁰⁵

Q. According to your testimony (XXVI : 5), these men of learning and authority were troubled neither by conscience nor by the fear of God. You stated, however, that they feared the anger of the people who had come to eat the paschal lamb

at Jerusalem near the Temple of God.¹⁰⁶ Is that why they decided to postpone their killing of the Nazarene until after the Passover? A. Yes, sir.

Q. But you later testified (XXVI : 47 ff.) that they nevertheless arrested him during the night of the first day of Passover. How can you reconcile these two statements? A. The treachery of Judas enabled them to change their plans.¹⁰⁷

Q. St. Matthew, you spoke of a woman anointing your lord (XXVI : 6-13). When did that incident occur? A. Some time during the two days before the Feast of Passover.¹⁰⁸

Q. You stated (XXVI : 6) that the Nazarene together with his disciples gathered in the house of Simon the leper. Were you included among them? A. Yes, sir.

Q. And you are certain that it was in the house of Simon the leper and not in the house of Lazarus?¹⁰⁹ A. I am sure of that.

Q. Are you likewise certain that that unnamed woman poured the precious oil on the head of the Nazarene, and not on his feet? A. Of course, sir.¹¹⁰

Q. You testified (XXVI : 8) that the disciples were indignant at the extravagant act of the woman. Are you certain that all the disciples were indignant and not only Judas Iscariot?¹¹¹ A. Yes, sir, all of us, including myself.

You stated (XXVI : 10) that Jesus understood your indignation. If it was necessary for him to use his prophetic gifts to understand your indignation, then you must have thought of it but not have given voice to it. Is that right? A. Yes, sir.¹¹²

Q. However, you quoted the Nazarene as saying (*l. c.*): "Why trouble ye the woman?" If you had said nothing, you could not possibly have troubled the woman with your indignation. If you had spoken, and the woman understood you well enough to be troubled, surely it did not take the prophecy of the Nazarene to understand you. Isn't your statement contradictory? A. In a divinely inspired document, there can be no real contradictions, but only apparent ones. My account may seem contradictory, sir, but I assure you, it is not really so.¹¹³

Q. You quoted the Nazarene as saying (XXVI : 13): "Whosoever this Gospel shall be preached in the whole world." Do you wish the Court and the ladies and gentlemen of the jury to believe that the Nazarene spoke of a world-wide preaching of the Gospel? Would you contend, then, that the Nazarene expected an immediate advent of the kingdom? A. This is exactly what my lord said.¹¹⁴

Q. You testified (XXVI : 14) that Judas Iscariot was one of the Twelve who had been chosen by the Nazarene himself. Shall we assume, then, that when the Nazarene first chose this traitor as one of his Twelve and gave him the most trustworthy position, that of treasurer, he had no knowledge that he would eventually betray him? A. Not at all, sir. My lord and master had foreknowledge of everything that would happen.¹¹⁵ However, I cannot explain why he chose such a man as Judas.

Q. You stated (XXVI : 15) that Judas said to the chief priests: "What will ye give me?" His only motive, then, in offering to betray his master, was a mercenary one? A. Precisely, sir.¹¹⁶

Q. Now, St. Matthew, when you compiled the Gospel bearing your name, did you have before you an authentic copy of the document, known as "The Gospel According to St. Mark," alleged to have been dictated by your fellow-disciple St. Peter? A. I did.¹¹⁷

Q. Do you recall what St. Peter said regarding Judas' negotiations with the chief priests? A. No, sir, I do not.

Q. Let me, then, read to you what he stated in his document, to refresh your recollection. In Chapter XIV, verses 10 and 11, St. Peter stated: "And Judas Iscariot, one of the Twelve, went unto the chief priests, to betray him unto them. And when they heard it, they were glad, and promised to give him money." Do you now recall this text? A. Yes, sir.

Q. Thus, according to St. Peter, Judas did not ask to be paid for his services. It was only when the chief priests "were glad" that they "promised to give him money." Judas' motive in offering to betray your master was not mercenary, according to your colleague. Can you tell the Court and the

ladies and gentlemen of the jury what prompted you to alter St. Peter's report by portraying Judas as mercenary? A. It was prompted by divine inspiration, sir.

Q. When you averred (XXVI : 15) that Judas covenanted to deliver the Nazarene into their hands, did you mean by this that he actually undertook to have him bodily delivered to the Jewish authorities? Or, did he merely offer to provide evidence for your master's conviction? A. He agreed only to identify my master, to point him out to the officers of the law by means of a kiss.¹¹⁸

Q. Were you present at the transaction between Judas and the chief priests? A. No, sir.

Q. How do you know, then, the exact amount of money the chief priests promised to pay Judas for his part of the agreement? A. By divine inspiration, sir.

Q. You say the sum was thirty shekels. Was this not a rather paltry sum for the treasurer of the Nazarene and your saintly group? A. It was a rather small sum of money.¹¹⁹

Q. You said (XXVI : 16) that "from that time on he sought opportunity to betray him." What sort of opportunity was he looking for? A. A chance to identify him, sir.

Q. You testified¹²⁰ that the Jewish authorities were anxious to secure evidence against the Nazarene in order to convict him of a capital offense. Is that correct? A. Yes, sir. it is.

Q. As one of the Twelve chosen disciples, was not Judas Iscariot acquainted with his master's claims, theories, and principles? A. Certainly, sir.

Q. Can you explain to the Court and the jury, why he did not offer his services to the chief priests to procure such evidence? Why did the Jewish authorities not ask him for such evidence against the Nazarene?¹²¹

Mr. Christiani: Your Honor, I object to this question on the ground that it is incompetent, irrelevant and immaterial; it demands an explanation for things omitted or committed not by the witness but by others; and it is also argumentative.

Mr. Ben Yehudah: Your Honor, the object of this question is to test the veracity of the witness' statement, to prove

to the Court and the ladies and gentlemen of the jury that the account given by this witness is neither factual nor logical. I contend that since the chief priests knew that the traitor Judas Iscariot was familiar with all his master's teachings, they would surely have availed themselves of the opportunity offered them by Judas to obtain from him the necessary evidence.

The Court: Objection overruled. Let the witness reply to this question, if he can.

The Witness: I cannot answer this question, sir.

Mr. Ben Yehudah: Q. You averred (XXVI : 17) that on the first day of Unleavened Bread, the disciples wanted to know where to prepare the Passover. Now, St. Matthew, you well knew that the preparations for the Passover were not made on the first day of Unleavened Bread but on the day before. Why, then, did you and your colleagues delay the preparations until the first day of the Feast? Wasn't this a clear violation of the law of God?¹²² A. Yes, sir. I do not understand how it happened, sir.

Q. According to your testimony (XXVI : 18), the Nazarene told the disciples, "go into the city to such a man." Do you mean to say that your master expressly told them who the man was in whose house he wished to celebrate the Passover? A. Yes, sir.

Q. Now, St. Matthew, you undoubtedly recall that St. Peter, in the Gospel of St. Mark stated (XIV : 13) that your master did not name the person, but that by means of his prophetic gifts, he told his disciples, who were to go into the city, that they would recognize the man because he would be carrying a pitcher of water.¹²³ Do you still insist that your master did name the person? A. I recorded facts, sir.

Q. You don't mean to tell the Court and the ladies and gentlemen of the jury that your saintly colleague did not record facts, do you? A. Of course not. I know, however, that my version of the account is correct.

Q. To your knowledge, St. Matthew, had any arrangements been made previously either by the Nazarene himself or by any of your colleagues with the man referred to in your

testimony (XXVI : 18)? A. No, sir. Our master sent us to ask the man for permission to keep the Passover in his house, because his time was at hand.

Q. You undoubtedly recall the statement made by St. Peter in his document of Mark (XIV : 14-15) implying that prior arrangements had been made with the person for the keeping of the Passover in his house, do you not? ¹²⁴ A. I do, sir.

Q. Do you still insist that this was the first time your master had broached the subject to the man about keeping the Passover in his house? A. My testimony is not subject to modification, sir.

Q. When you speak of the coming of even (XXVI : 20), to what evening do you refer? A. The evening of the fourteenth day of Nisan, which, according to the Jewish time reckoning, was part of the following day, the fifteenth of Nisan, when the paschal lamb was to be eaten as prescribed by the Law of Moses.¹²⁵

Q. If, as you stated (XXVI : 20), the Nazarene sat down with the Twelve, then I take it that the traitor Judas was included among the celebrants? A. That is true.

Q. But he had already covenanted with the chief priests to betray the Nazarene (verses 14-16, *supra*) and yet he was still considered one of the Twelve chosen ones. Was not your master aware of the betrayal? A. He must have been aware of Judas' betrayal.¹²⁶

Q. Why, then, did your lord sit with the traitor at table? A. I am unable to account for that, sir.

Q. After the Nazarene predicted his betrayal, according to your testimony (XXVI : 22), "they (the disciples) were exceeding sorrowful." Surely, you understood the gravity of your master's predicament? A. Of course, we did.

Q. But your being sorrowful was hardly an appropriate response to your master's serious words. Why did you not demand at once the name of the betrayer so that you might prevent the tragedy, instead of merely asking, "Is it I?" A. I don't know, sir.

Q. Why did the Nazarene not answer directly and name the traitor instead of saying evasively, "he that dippeth his

hand with me in the dish"? A. I don't know, sir.

Q. But surely you must have some explanation for this peculiar response of your master. When you asked "Is it I?" why did he not reply straight-out, "No, not you, but this miserable wretch, Judas Iscariot, who sold me to the chief priests for the paltry sum of thirty shekels"? A. You would not expect our lord Jesus Christ to become angry or to display wrath, he of the mildest disposition in the world, would you, sir?

Q. But you yourself have testified that your master did, on several occasions grow angry. You stated that he expressed indignation by cursing Judas (verse 24, *infra*). He cursed an innocent fig tree which did not provide him with figs when he was hungry, although "the time of figs was not yet."¹²⁷ He showed a furious disposition when he chased the money-changers out of the Temple.¹²⁸ He called the Pharisees by many unbecoming epithets in his many outbursts of anger.¹²⁹ Your explanation, then, is evidently not well founded, is it? A. I cannot say, sir.

Q. But could not the Nazarene, without displaying anger, point out the betrayer to you? A. A direct answer by our lord would have frustrated the will of God, sir.¹³⁰

Q. You stated (XXVI : 24) that the Nazarene said: "Woe to that man by whom the son of man is betrayed." Do you mean to say by this that your master wished to awe the betrayer Judas with a curse, to avert him from his evil design? A. Yes, sir, that seemed to have been his purpose.

Q. But you testified that on several occasions¹³¹ the Nazarene had predicted that three days after his crucifixion he would rise again and that only then would he attain his divine powers as God's vicegerent. Death, therefore, must have seemed a boon to the Nazarene. Isn't that correct? A. Yes, sir.

Q. Did you not also state that the Father, through His prophets, had predestined the Nazarene to this fate¹³² for a sublime purpose? A. Yes, sir.

Q. Why, then, did the Nazarene call forth "woe" upon the head of Judas,¹³³ if through Judas the will of God was to

be done and a sublime task accomplished? A. The Father ordained it, but Judas was nevertheless responsible for his evil act.¹³⁴

Q. You stated (XXVI : 25) that Judas, too, asked: "Master, is it I?" I believe you will agree with me that this Judas must have been a remarkable fool to have asked that question. He was the only one of the Twelve to whom no reply had been made by the Nazarene, for the simple reason that he alone had refrained until now from asking the question. What answer did he expect? A. I don't know, sir; but Judas was not a fool. He was evil and cunning.

Q. Did not Judas know that his master was endowed with the gift of prophecy? Had he not just heard him prophesy that one of his disciples would betray him? Then why on earth should Judas have asked this nonsensical question of his master? What was his object? Did he want to be pointed out to his colleagues as a traitor? A. All I know is that he actually did ask the question in our presence, sir.

Q. You averred (XXVI : 25) that the Nazarene said to Judas, "Thou hast said." Thus your master disclosed to all of you the identity of the betrayer. Why, then, did you not instantly fall upon the scoundrel Judas and tear him limb by limb?¹³⁵ Were you afraid of Judas, all eleven of you? Or did you simply not care what happened to your master?¹³⁶ A. I am unable to account for it, sir.

Q. You testified (XXVI : 26) that "as they were eating, Jesus took bread, and blessed it, and brake it, and gave it to the disciples." Does that mean that he broke bread and blessed it in the midst of the meal? A. Exactly.

Q. But, St. Matthew, were you not, as a Jew, familiar with the common ritual practiced daily among the Jews from very remote times until this very day? Did you not know that before the meal one must break bread and pronounce the benediction: "Blessed be Thou, O Lord our God, King of the Universe, who bringest forth bread from the earth"? Did you not know that to pronounce this invocation during the meal was contrary to Jewish ritual?¹³⁷ Was it you or the Nazarene who

was unaware of such common religious practice? A. I recorded facts, sir.

Q. Was Judas Iscariot still in your midst when this took place? A. I don't recall; but I believe he was.¹⁴²

Q. Do you mean to tell the Court and the jury that Judas, with his guilty conscience, might have been calmly enjoying this gruesome ceremony, eating of the master's body, and drinking of his blood? Would you and the rest of the disciples have permitted it? A. I can't answer that question, sir.

Q. When you stated (XXVI : 26-27) that, "as they were eating . . . he took the cup, and gave thanks," does it mean that he took the cup of wine during the meal? A. Yes, sir.¹³⁸

Q. And you are certain that your lord drank only one cup of wine during the entire ritual of Passover-eve? A. Yes, sir.¹³⁹

Q. You stated that the Nazarene spoke of the wine as "my blood of the new testament." Was this new testament meant to replace the old testament given by God Himself on Mount Sinai? A. Yes, sir.¹⁴⁰

Q. But have you not yourself quoted your master as saying:¹⁴¹ "I am not come to destroy the law, or the prophets: I am not come to destroy, but to fulfil"? A. This is another of those seeming contradictions, sir.

Q. St. Matthew, are you certain, as you stated (XXVI : 29), that your lord included his disciples in the wine-feast to take place in God's kingdom? A. Of course, I am.

Q. However, you undoubtedly recall that St. Peter, in "The Gospel According to St. Mark," stated (XIV : 25) that the disciples were not included in the wine-feast by your master. Do you recall this statement by St. Peter? A. I do. But I do not know why Peter saw fit to exclude us from the wine-feast.

Q. Was Judas Iscariot present when your master promised to include his disciples in the wine-feast? A. I have already told you, sir, that I don't remember when the traitor left our table.

Q. Can you tell us whether Judas was included in this

promised drinking party. A. I am sure he was not.¹⁴²

Q. Are you aware, St. Matthew, that you are asking the Court and the jury to believe that after the millennium and the advent of God's kingdom throughout the universe, your lord intended to indulge in a wine-feast with his saintly disciples? That these celestial beings in the very presence of God would satisfy their earthly lust for drink? Did your lord really invite you to drink with him in heaven, he a Christ, a Son of God, one of the three godheads?¹⁴³

Mr. Christiani: I object to that question put to my witness by Counsel, on the ground that it is incompetent, irrelevant, and immaterial; it is a subtle attempt to degrade our lord Jesus Christ.

Mr. Ben Yehudah: Your Honor, this is not my intention at all. On the contrary, I wish to point out to the ladies and gentlemen of the jury that the Nazarene has been either misquoted or misinterpreted by our witness, for no claimant to god-hood would have made so absurd a promise to his followers.

The Court: Objection overruled. Proceed with the cross-examination.

Mr. Ben Yehudah (resuming cross-examination:) Q. Please answer my question. A. I am unable to answer it, sir. I can only say that my testimony is true. I have quoted our lord correctly.

Q. You quoted the Nazarene as saying to you (XXVI : 31), "all ye shall be offended because of me this night," in order to fulfill a certain prophecy. Are you certain that the Biblical verse to which you referred was quoted correctly? A. Yes, sir.¹⁴⁴

Q. Now with reference to the statement made by your master that Peter would deny him thrice, did he mention one or two crowings of the cock? A. Only one crowing, sir. I am certain of that.¹⁴⁵

Q. Can you explain to the Court and to the ladies and gentlemen of the jury the reason you saw fit to contradict the express statement made by St. Peter himself (Mark XIV : 30) that your master had said to him: "This day, even this night,

before the cock crow twice, thou shalt deny me thrice"? Why did you deem it advisable to omit one crowing of the cock? A. To my knowledge our lord mentioned only one crowing of the cock.

Q. Were you among the disciples who made a solemn promise to your lord that you would not deny him, although you should die with him (XXVI : 35)? A. Yes, sir; I, too, made such a promise to him.¹⁴⁶

Q. Did you keep that promise, St. Matthew? A. Did I keep that promise?

Q. Never mind that question. You don't have to answer it at this time. A. Thank you, sir.

Q. Were you among those who were left behind when your master went to pray, taking with him Peter and the two sons of Zebedee (XXVI : 36-37)? A. Yes, sir, I was left behind.

Q. How do you know, then, that your master "began to be sorrowful"? Did you see the expression upon his face from where you were? A. No, sir. But my report was divinely inspired, sir.

Q. Then you don't know these facts of your own knowledge, do you? A. No, sir.

Q. In your opinion, St. Matthew, are the human soul and the human spirit identical? A. I think so.

Q. You stated (XXVI : 38) that the Nazarene said, "My soul is exceeding sorrowful, even unto death." Are you sure that your master said these very words? A. Yes, sir. My divine inspiration would not misquote my lord.

Q. But you also quoted him as saying (verse 41, *infra*): "The spirit is willing." How can the spirit be willing at the same time that the soul is sorrowful? A. The soul, or spirit, was sorrowfully willing, sir—like an unhappy desire or longing, as it were. I admit, it is rather difficult to understand.

Q. Yes, St. Matthew, most difficult. — You stated¹⁴⁷ that after the Nazarene had declared to you, his disciples, that he was the Christ, he told you "that he must go unto Jerusalem . . . and be killed, and be raised again the third day." After telling you this, he then shrunk from his fate and was

depressed "even unto death." How can you reconcile these obviously contradictory statements recorded in your testimony? A. I need not reconcile them, sir.¹⁴⁸

Q. Surely it is unlikely that a celestial being would contradict himself. Therefore we must blame you as the faulty reporter, must we not, for whatever contradictions are attributed to your lord? A. No, sir, my testimony is divinely inspired; it cannot be faulty.¹⁴⁹

Q. According to your testimony (XXVI : 38), the Nazarene asked his three disciples, "tarry ye here, and watch with me." It would seem, then, that the Nazarene feared to be alone on this fateful night and was in need of the company of his loyal disciples. The "Son of God" in this dark hour asked for human sympathy. Is this a proper interpretation of your words? A. Yes, sir.¹⁵⁰

Q. But can a deity be afraid to be alone? Can one equal with God need frail human beings to cheer him and watch with him for the enemy? A. Evidently, the answer is yes.

Q. You stated (XXVI : 39) that when your master prayed, he said, "O my Father." Does the use of the word, "my," signify that he regarded God as his personal Father? A. It signified the unique relationship between the Father and Son.

Q. Now, St. Matthew, you stated that the Nazarene prayed to his Father: "If possible, let this cup pass from me." He conditioned his prayer upon a possibility: evidently he was not certain whether it was possible for the Almighty to alter His decree. Is this right? A. Yes, sir.¹⁵¹

Q. You believe that the Nazarene is God's equal, don't you? A. Yes, sir.¹⁵²

Q. One does not pray to one's equal, but only to one's superior. Would you say, then, that the Nazarene considered God as his superior because he prayed to Him? A. I presume so.¹⁵³

Q. If he were equal with his Father, why did he make his prayer conditional? Was he unable to alter the decree himself?¹⁵⁴ A. I don't know, sir.

Q. And while the Nazarene was praying so tragically, his

most faithful disciples fell asleep. Is that correct? A. Yes, sir (XXVI : 40, 43, 45).

Q. If the three disciples fell asleep, and if you yourself were not present, who was there to hear the Nazarene's prayer and record it verbatim?¹⁵⁵ A. No one, sir; but you must not forget that my testimony was divinely inspired.

Q. You stated (XXVI : 41) that the Nazarene said to his disciples: "The spirit indeed is willing, but the flesh is weak." Is it possible that in the opinion of the Nazarene the spirit did not dominate and control the flesh? After all, did not tens of thousands of Jewish martyrs prove with their lives that when "the spirit is willing," the flesh does its bidding? Old Jews and young, men and women alike, from the Maccabees, the Pharisees, whom you so dreadfully despised, down to this very day, did not hesitate to suffer death—too often at the hands of the followers of the Nazarene—for the glory and sanctification of God's name. Are you sure, St. Matthew, that you quoted your lord correctly? A. Yes, sir, quite sure.

Q. According to your testimony (XXVI : 42), the Nazarene's second prayer was not a repetition of the first. In fact, it was no prayer at all in the strict sense of the word. It was a mere acceptance of the inevitable, a submission to the unalterable will of God. Isn't this a correct interpretation of your account, St. Matthew? A. Precisely, sir.¹⁵⁶

Q. You stated (XXVI : 43) that when the Nazarene returned after his second prayer, he found his disciples asleep again. Will you please tell the Court and the ladies and gentlemen of the jury, who it was that recorded the exact words of the second prayer? Surely not the sleeping disciples? A. I have already explained to you that my records were divinely inspired.

Q. Now, St. Matthew, do you mean to imply by this story of the sleeping Apostles that the three most trusted saints were so callous and indifferent to the fate of your lord that even after his first rebuke, they refused to remain awake for a few brief moments in the hour of his supreme agony? The behavior of these disciples is inconceivable, unless we are to think that even they did not take their master and his prophe-

cies seriously, and therefore disregarded his fateful warnings. Is this the correct assumption, St. Matthew? A. No, sir. The disciples were not lacking in faith or loyalty. They just fell asleep, as I said, because "their eyes were heavy" (XXVI : 43).

Q. You said (XXVI : 44) that this time the Nazarene left them in disgust without rebuking them, and went to pray for a third time. Now, when you testified that the Nazarene "prayed the third time, saying the same words," did you mean that this third prayer was the same as the first prayer or the second? A. I did not hear the words myself, sir; and my inspiration did not disclose that information.¹⁵⁷

Q. You are absolutely certain, however, that the Nazarene prayed three times? A. Yes, sir.¹⁵⁸

Q. You stated (XXVI : 45) that when the Nazarene returned from praying the third time, he again found his trusty disciples asleep, and he urged them to sleep on. Thus, they were asleep when he left to pray and were still asleep when he returned. Once again, then, we must conclude that there was no one present and awake who could possibly have recorded the prayer and the prophecy to which you testified. Is that correct? A. Yes, sir.

Q. You testified that the Nazarene prophesied that he would be delivered into the hands of sinners. Did he speak to himself, since there was no one awake to listen to his words? A. I presume so.

Q. You stated (XXVI : 46) that your master suddenly aroused the three sleeping disciples with the warning, "rise, let us be going." No doubt he was alarmed by the approaching tramp of feet and the flicker of the lanterns? A. Yes, sir.

Q. Are you aware that your characterization of your lord is most inconsistent? Have you not told us that in a prayer to the Father, he had said "Thy will be done"? Yet now you ask us to believe that at the first approach of danger, he urged his disciples to flee with him from that very will of God. Are you consistent, St. Matthew? A. The truth cannot be inconsistent, sir; and I have told the truth.¹⁵⁹

Q. You stated (XXVI : 47) that "Judas, one of the twelve, came, and with him a great multitude with swords and staves."

Did you, yourself, see this multitude? A. Yes, sir.

Q. I presume you, as a Jew, are aware of the significance of the Jewish Passover ritual? A. I am, sir.

Q. Yet in spite of this, you are asking this jury to believe that the chief priests and the other guardians of Jewish religion and law defiled the Festival by sending an armed multitude to arrest a man.¹⁶⁰ A. Yes, sir, this is what actually happened

Q. Was there any need for a great multitude to make the arrest? Did the chief priests and elders expect armed resistance? A. Possibly.

Q. But the traitor Judas Iscariot must have conferred with the chief priests and elders from whom he obtained this rabble. Did he not inform them that there were only twelve men in the party, including the Nazarene? Did he not tell them that this group of holy men would be unable to offer armed resistance? Even if they had wished to arrest all twelve men, would they have had need for a multitude of armed men? A. I am unable to explain that, sir.

Q. But you testified (verse 5, *supra*) that the Jewish leaders feared the people and tried to act secretly! Would not the tumult and the noise of the tramping of a multitude through the quiet streets of Jerusalem after midnight surely attract the attention of the people whom they so dreadfully feared, and make their purpose known? Do you wish this Court and the ladies and gentlemen of the jury to believe that the Jewish jurists were so stupid that they defeated their own purpose?¹⁶¹ A. I can not explain their wicked actions, sir.

Q. You testified (XXVI : 48) that the signal of the kiss had been prearranged between Judas and the Jewish authorities. Is that correct? A. Decidedly, sir.

Q. How did you discover that? You were not present, were you, when these arrangements were made? A. No, sir. You keep forgetting my divine inspiration.

Q. Judas did nothing, then, but identify the Nazarene by kissing him? A. Yes, sir.

Q. Why was this identification necessary? Did you not quote Jesus himself as saying to his captors (verse 55, *infra*): "I sat daily with you teaching in the temple, and ye laid no hold

on me"? Surely, then, they should have been able to recognize him.¹⁶² A. Maybe our lord was unknown to the rabble.

Q. I see; and so they had to hire a traitor to identify him. Apparently they did not realize that Jesus was an honest man, and that if he were asked, he would not have denied his identity?¹⁶³ A. Whatever their reasons, sir, I tell you that they hired Judas to identify our lord by a kiss.

Q. You testified (XXVI : 50) that when the Nazarene saw Judas, he said: "Friend, wherefore art thou come?" But you have also stated that on several occasions the Nazarene had predicted his betrayal by Judas.¹⁶⁴ Surely, then, he must have known why Judas had come—especially when he came with an armed multitude in the dead of night. Why, then, did he ask Judas such a question? A. I don't know, sir.

Q. And why did the Nazarene address the traitor Judas as "Friend"? Did he hope to soften his heart, or change his mind? A. Of course not. Our lord foresaw the future and knew that his destiny would be fulfilled.

Q. Would you say, then, St. Matthew, that he used the word "Friend" in a hypocritical or sarcastic sense? A. Certainly not, Sir.

Q. But you must be aware, St. Matthew, that this quotation of yours puts your lord in a strange light. Instead of a forthright denunciation of a base traitor, we find these peculiar words, "Friend, wherefore art thou come?" These words would be understandable if the Nazarene were taken aback by the treachery of Judas and cried out "friend" in somewhat the same manner as Julius Caesar is said to have exclaimed, "Et tu Brute!" But you say this explanation is impossible? A. Utterly impossible, sir.

Q. Then what was your lord's intention, St. Matthew? A. I really don't know, sir.

Q. You testified (XXVI : 52) that the Nazarene rebuked the disciple who cut off the ear of the high priest's servant, for having resorted to violence, and said to him: "Put up again thy sword into his place." The Nazarene then admonished his followers: "For all they that take the sword shall perish with the sword." Thus, according to your testimony, your master

was opposed to bloodshed and violence; isn't that correct? A. There can be no doubt about that, sir.

Q. In "Plaintiffs' Exhibit 1," Chapter X, verses 34-35, however, you quoted your master as saying to his disciples: "Think not that I am come to send peace on earth: I came not to send peace, but a sword. For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter-in-law against her mother-in-law." The only logical interpretations that could be placed on this alleged quotation would seem to be, either that your lord asserted that the end or design of his coming was to bring hatred, division, struggle, and bloodshed to suffering humanity; or that his doctrine would compel his zealous followers to resort to murder, hatred, and bigotry in order to convert unbelievers to Christianity.¹⁶⁵ Whatever interpretation one accepts, this quotation cannot be made to harmonize with your master's alleged former statement. Would you say that your master was inconsistent in his theories? A. No, sir, I wouldn't say that. This is another of the seeming discrepancies.

Q. To your knowledge, St. Matthew, did the Nazarene miraculously heal the servant whose ear had been cut off? A. No, sir; I should certainly have recorded such a miracle if it had happened.¹⁶⁶

Q. Did the officers of the law make any attempt to arrest you and the other disciples? A. No, sir.

Q. Were you not the devoted followers of the Nazarene and the champions of his theories? A. Yes, sir.

Q. Did you not make every endeavor to spread and to foster his doctrine among the masses? A. Yes, sir, we did.

Q. Why, then, did not the Jewish representatives, who undoubtedly were aware of your activities, order the arrest of all the disciples, either as material witnesses or as accomplices? You stated (verses 69-74, *infra*) that when Peter was recognized as one of the disciples, he was so terrified that he lied, swore falsely, and cursed in trying to deny his association with his master. Isn't this undeniable proof that he had reason to fear the consequences of such an accusation? Why, then, were these accomplices permitted to remain free when

your master was arrested? A. I don't know, sir.

Q. You stated (XXVI : 53) that the Nazarene said to the audacious disciple who dared cut off the ear of one of the arresting officers: "Thinkest thou that I cannot now pray to my Father, and he shall presently give me more than twelve legions of angels?" Is that true? A. Yes, sir; that is true.

Q. Do you know how many soldiers were included in a Roman legion? A. No less than three thousand, sir.

Q. Then when the Nazarene boasted that he could have had more than twelve legions of angels at his disposal, he was referring to more than thirty-six thousand heavenly fighters, if a celestial legion is supposed to resemble a Roman legion. But why call upon such a host of angels? Would not just a few angels have been able to scatter a multitude of mortals?¹⁶⁷ A. The number of angels is of no consequence, sir.

Q. Is it true, as you stated (XXVI : 55), that your master said to the apprehending officers: "I sat daily with you teaching in the temple, and ye laid no hand on me"? A. Of course it is true. I myself heard him say that.

Q. St. Matthew, do you recall that in "Plaintiffs' Exhibit 1," (XII: 14-15), you averred that the Pharisees sought to destroy Jesus, but that he escaped? A. Yes, sir, I do recall that.

Q. Do you, then, mean to tell the Court and the ladies and gentlemen of the jury that your master told an untruth? How could he have stated that they had laid no hand on him, obviously implying that they never attempted to apprehend him, when he had already at least once before been compelled to flee from them?¹⁶⁸ Can you explain this? A. No, sir. But my lord could not have told an untruth. And neither could I.

Q. You testified (XXVI : 56) that all the disciples forsook the Nazarene and fled. Were you included among those who fled? A. Of course, sir.

Q. Hadn't you and your colleagues solemnly promised (verse 35, *supra*) that you would cling to your shepherd and lord even unto death? A. Yes, sir.

Q. Why, then, didn't you keep your promise as befits holy saints and standard-bearers of a new religion? Why did you not stay with your master and try to help him in his hour

of danger? A. It must have been so ordained, sir.

Q. You averred (XXVI : 57) that the officers, after arresting the Nazarene, took him to Caiaphas, where the scribes and the elders were assembled. Was this the Great Sanhedrin, consisting of seventy-one members, that convened there after midnight? A. Yes, sir.¹⁶⁹

Q. Did they convene there for the express purpose of putting the Nazarene on trial? A. Apparently so.

Q. According to your testimony, then, the members of the Great Sanhedrin had convened in the palace of Caiaphas before the prisoner's arrival? A. Yes, sir.¹⁷⁰

Q. You testified (XXVI : 57) that scribes and elders assembled in the palace of the high priest. In verse 59, however, you said that there were also chief priests in the assembly. Was the presence of the chief priests so unimportant that you spoke of them as an afterthought? A. It was a mere matter of negligence on my part, sir.¹⁷¹

Q. Now, St. Matthew, it was evidently your intention to record an actual trial which took place in the highest Jewish court, was it not? A. Of course, that was my intention.¹⁷²

Q. Are you at all familiar with the principles of Jewish jurisprudence and rules of procedure?

Mr. Christiani: I object, Your Honor, to this question by Counsel. It is immaterial whether my witness is familiar with Jewish law and procedure. He was not called upon in this Court to qualify as an expert in Jewish jurisprudence.

Mr. Ben Yehudha: The court proceedings, as reported by this witness, Your Honor, form the crux of the Prosecution's case against the Defendants. Surely we are entitled to know whether or not the witness was qualified to report such a trial accurately and intelligently. We are entitled to know how much of this farcical trial was due to history and how much to ignorant reporting and dull imagination on the part of the witness.

The Court: Objection overruled. Let the witness answer the question.

The witness: Only the hypocritical Pharisees really knew

the law. We Galileans, as a rule, knew very little about court procedure.¹⁷³

(Cross-examination resumed by Mr. Ben Yehudah:) Q. You were not present at the trial, were you? A. No, sir. I was not present.

Q. Here, too, then, you relied on your divine inspiration, as you call it?¹⁷⁴ A. Yes, sir.

Q. You testified, did you not (XXVI : 58), that Peter entered the high priest's palace? A. Yes, sir.

Q. But you said (verse 56, *supra*) that Peter was afraid to be near his master, lest he might be recognized as his disciple and be connected with his activities, and that he therefore fled. You emphasized (verse 58) that he followed the rabble from afar, because of that same fear. He was afraid that he would be arrested and held as an accomplice or as a material witness. Yet, at the same time, you state that Peter dared to enter the palace of the high priest and sit with the servants, the very officers whom, you say he dreaded. How can you reconcile these contradictory statements? A. I merely recorded the facts, sir.

Q. Can you tell the Court and the ladies and gentlemen of the jury how Peter, a fisherman from Galilee, managed to gain entrance into the palace of the high priest? Wasn't there a guard at the gate?¹⁷⁵ A. I don't know, sir.

Q. What do you mean by the expression "all the council" (XXVI : 59)? A. I mean all the seventy-one members of the Great Sanhedrin.¹⁷⁶

Q. According to your account, then, there was not even one honest man among all these seventy-one members of the highest court at Jerusalem? A. No, sir, not one.

Q. You want us to believe, then, that the whole court sought to condemn an innocent man, in the early hours of the first day of the Feast of Passover, a national holiday, by publicly trying to secure false witnesses against him, so that they might put him to death? A. Yes, sir, that is correct.

Q. Is it possible that all the jurists were such corrupt and flagrant violators of the Law of God? Where was Rabban

Gamaliel, who was a member of the Sanhedrin, and who, you must admit, "had a reputation among all the people"?¹⁷⁷ Where was Joseph of Arimathaea, also a member of the Sanhedrin, of whom it is written that he was "a good man and a just" and "had not consented to the counsel and deed of them"?¹⁷⁸ And where was Nicodemus? He, too, was a member of the Sanhedrin,¹⁷⁹ and will you not admit that he was a just man? Your testimony, St. Matthew, does not seem very accurate when you emphasize that "all the council" participated in these ungodly proceedings. A. Perhaps I overlooked those honest members of the court.¹⁸⁰

Q. You stated (XXVI : 59) that the members of the Great Sanhedrin sought false witnesses. Are you aware, St. Matthew, that under the Law of Moses false witnesses were subjected to the extreme law of retaliation, the *lex talionis*?¹⁸¹ A. Whatever the law may have been, I assure you that the Jewish court did seek false witnesses against our lord.

Q. If the members of the court were so corrupt that they dared openly to commit the heinous crime of subornation of witnesses, do you not think it would have been simpler and more expedient for them to have accomplished their purpose by outright murder? Why, for example, did they not secretly hire assassins to kill the Nazarene? A. Perhaps they wished to stage a trial for the purpose of misleading and hoodwinking the populace.¹⁸²

Q. But such a trial, St. Matthew! If they had wished to stage a trial, would not these wise men of Jerusalem have had sufficient foresight to have rehearsed their witnesses in their perjury? Surely they knew their own legal procedure well enough to know what was required. They would have staged a drama and not a farce, would they not?¹⁸⁷ A. I am unable to explain their wicked deeds, sir.

Q. You testified that they sought false witnesses. Do you mean that they preferred false witnesses to true witnesses, even if the true witnesses would have offered the same damaging testimony? A. Yes, sir. They preferred to have testimony that was false.¹⁸³

Q. According to your testimony (XXVI : 59-64), they

first arrested the Nazarene, and then looked for witnesses in open court. But you said nothing about any charge being lodged against him. You reported a trial without telling us the most important fact in any trial, the nature of the complaint against the prisoner. Have you any idea at all on what charge your master was brought before the Great Sanhedrin for trial? A. No, sir, I do not know on what specific charge he was brought there.¹⁸⁴

Q. You testified (XXVI : 60): "Yea, even though many false witnesses came, yet found they none." Where did these witnesses come from and why? They did not come there at this late hour of the night—and on Passover night at that—by mere chance? If this assembly at the palace of the high priest bore the character of any court of law at all, then these men must have been subpoenaed by the court to come and testify against your master. Isn't that so? A. Yes, I suppose they were summoned there by the Jewish authorities.¹⁸⁵

Q. Now, since you branded these witnesses as "false" before they were disqualified by the court, the conclusion must be drawn that they had been subpoenaed by the court to commit perjury, and this is in harmony with what you stated before (verse 59, *supra*) that the Jewish jurists sought false witnesses against the Nazarene. Is this conclusion correct? A. I believe it is, sir.

Q. You stated (*l. c.*) that they were unable to find any witnesses. Do you know why they were unable to find any? Were these witnesses examined and cross-examined by the court according to law,¹⁸⁶ and found to be false and contradictory? A. I presume so, sir.

Q. But this whole affair does not sound like a trial conducted by a legally constituted court of law of the highest jurisdiction in Israel. It is like a mock trial conducted by imbeciles. According to your statement, the judges first sought false witnesses. Then, after inviting the false witnesses to testify against your master, they themselves examined and cross-examined these very witnesses in order to prove them false. Hadn't they been brought there for the purpose of testifying falsely? Why, then, did those stupid learned doctors of the

law impeach their own witnesses by cross-examining them?

A. They wished to give the trial the appearance of legality, sir.

Q. But that is absurd, St. Matthew. If that were their intention, would they not have prepared their witnesses in advance so that their testimony might remain unimpeached? Tell me, were these great Rabbis really so stupid?¹⁸⁷ A. No, sir, they were not stupid, but evil men.

Q. Can you explain why you saw fit not to mention the nature of the testimony given by the false witnesses, and how they were proven to be false? A. It was not included, sir, in my inspiration.

Q. You stated (XXVI : 60-61) that "at the last came two false witnesses, and said, This fellow said, I am able to destroy the temple of God, and to build it in three days." Didn't those witnesses quote the Nazarene as having said, "I will destroy this temple that is made with hands, and within three days I will build another made without hands"? Don't you recall the testimony given by St. Peter (Mark XIV : 57-58)? Why did you see fit to alter St. Peter's testimony? Was it your intention to minimize the guilt of the Nazarene by showing that he did not claim supernatural powers and boast that he could rebuild the temple "without hands"? A. That was my inspiration, sir.

Q. According to your testimony, St. Matthew, these two witnesses were known to be untrue *ab initio*, just as were all the previous witnesses. Now, can you explain why the jurists after discrediting all the other witnesses, did not discredit these two witnesses? A. No, sir. I can't explain that.

Q. To your knowledge, had the Nazarene ever really made this statement concerning the Temple of God? A. I can't say whether he did or not.¹⁸⁸

Q. Can you explain to the Court and to the ladies and gentlemen of the jury what would have been the nature of the crime committed by the Nazarene if he had actually made the alleged statement? A. No, sir, I cannot.¹⁸⁹

Q. You testified (XXVI : 63) that the high priest said to the Nazarene: "I adjure thee by the living God, that thou tell us whether thou be the Christ, the Son of God." St. Peter in his document (Mark XIV : 61), as you are aware, made no

mention of the high priest's adjuration. Where did you get your information from? A. My inspiration, sir.

Q. And you further stated (XXVI : 64) that the Nazarene replied: "Thou hast said"; which means that he gave the high priest an evasive reply. St. Peter, however, recorded (Mark XIV : 62) that the Nazarene gave the high priest a direct, unequivocal reply: "I am." Now, St. Matthew, since neither you nor St. Peter were present at the alleged trial, why did you deem it advisable to contradict St. Peter's inspiration? A. I recorded according to the dictates of *my* inspiration, sir.

Q. I see: your inspiration contradicted St. Peter's inspiration. —You quoted the Nazarene as saying to the Jewish judges (XXVI : 64): "Hereafter shall ye see the son of man sitting on the right hand of power." Can you explain the significance of the expression "hereafter" in this particular instance?

A. It is meant to imply the near or immediate future.¹⁹⁰

Q. To your knowledge, did any member of the court live to see the Nazarene seated on the right hand of power? A. Not to my knowledge, sir.¹⁹¹

Q. Is it possible, then, that your master prophesied falsely?

Mr. Christiani: Your Honor, I strenuously object to this question, on the ground that it is incompetent, irrelevant, and immaterial. My witness cannot be tricked into saying that our lord and master was a false prophet. That is obviously what is being attempted here.

Mr. Ben Yehudah: Your Honor, it is not my intention at all that one of the Twelve chosen Apostles of the Nazarene should concede that Jesus was a false prophet. All I wish to prove is, that since neither Counsel for the Prosecution nor any other devout Christian would concede that Jesus was a false prophet, the testimony of the witness given in verse 64 is untrue; for, if we accept it as the Gospel truth, Jesus necessarily was a false prophet.

Mr. Christiani: Very well, Your Honor, I accept the explanation and withdraw my objection.

The Court: Proceed with the case.

(Mr. Ben Yehudah resuming the examination:) Q. You quoted the high priest Caiaphas as saying (XXVI : 65): "What

further need have we of witnesses?" Does not this statement by Caiaphas prove some inconsistency in your records? A few minutes ago Caiaphas had rent his clothes in observance of an ancient Jewish custom,¹⁹² but by this quotation of yours, Caiaphas openly violated the specific requirement of the Mosaic Law that no person might be convicted of a capital offense¹⁹³ or of any crime whatsoever¹⁹⁴ on the testimony of less than two eyewitnesses. Surely Caiaphas could not, then, have expected the entire body of judges to find the prisoner guilty on the strength of his own confession, "thou hast said it," or of his utterances in the presence of the court. This would have been directly contrary to the established principles of law and procedure.¹⁹⁵ Are you sure, St. Matthew, that you quoted Caiaphas correctly? A. Absolutely sure, sir.

Q. Do you mean to say that among all the seventy-one members of the tribunal, not one protested? A. Not one, sir.

Q. You stated (XXVI : 65-66) that the high priest inquired of the members of the court: "Now, you have heard his blasphemy. What think ye? They answered and said, He is guilty of death." Are you certain that this was the way the decision of guilt was reached by the Great Sanhedrin? A. Yes, sir; I am positively certain.¹⁹⁶

Q. You testified (XXVI : 67): "Then did they spit in his face, and buffeted him." To whom does this pronoun *they* refer? A. To those persons spoken of before, namely, to those who had just found him guilty.¹⁹⁷

Q. Do you mean the members of the Great Sanhedrin? A. Yes, sir.

Q. Do you want the Court and the ladies and gentlemen of the jury to believe that the judges of the highest tribunal in Jerusalem spat in the face of the unfortunate and doomed man whom they had found guilty of a capital offense? Do you mean to say that these learned men who had perfected the most humane and just system of jurisprudence in all the world,¹⁹⁸ would have stooped so low as to spit in the face of a human being whom they themselves had condemned to death? A. Yes, sir; it is true.

Q. But no such form of degradation is anywhere men-

tioned either in the Biblical or Talmudic literatures, except in the case of *halizah*, levirate marriage.¹⁹⁹ Would you contend, then, that these doctors of the law, Rabban Gamaliel, Nicodemus, Joseph of Arimathaea, Rabban Johanan ben Zakkai, and many other great scholars—invented this form of degradation of spitting in the face of a convict? Of course, you are not familiar with Jewish law, as you yourself admitted. But for your information, St. Matthew, I would like to cite one law which would tend to convince you that the tradition you received is untrue. The law is laid down by the Jewish teachers,²⁰⁰ that the members of a Sanhedrin who condemn a man to capital punishment are not permitted to taste food the whole of that day. Would you have us believe, then, that the authors of such a law could be so abject and cruel as to spit in a condemned man's face and buffet him?²⁰¹ A. Nevertheless, I contend that this is what actually occurred.

Q. When you said (XXVI : 69) that St. Peter was “without in the palace,” exactly where did you mean that to be? A. I mean in the court.

Q. You undoubtedly recall that your colleague St. Peter recorded (Mark XIV : 66) that he was “beneath in the palace.” What made you contradict him and say that Peter was in the court? A. I did not contradict him, sir. It was outside the palace, and below the council-chamber.²⁰²

Q. I see; it was “outside in the court” which was inside underneath the council-chamber. Tell us now who was the damsel who recognized Peter as having been with Jesus of Galilee (XXVI : 69)? A. She was one of the maids of the high priest, a slave-girl.²⁰³

Q. St. Peter, then, sat with the servants of the high priest in their quarters, and not with the officers of the court, for surely a slave-girl would not have dared to enter the high priest's sanctum. Besides, all this noise of Peter's identification and his denial could not have taken place in the courtroom where the Sanhedrin was trying a case involving capital punishment. No court of justice would have tolerated it. Isn't that so? A. Yes, sir.

Q. I must ask you again, then, who was present to record

the trial? You and the other nine Apostles had fled, leaving only Peter to follow your master from a distance, and even he never entered the courtroom but remained with the servants. Not even Peter was an eyewitness to the proceedings. How can you claim, then, that your record of the trial of the Nazarene before the Great Sanhedrin is authentic? A. I claim that it is authentic because all my colleagues, the Apostles of Christ himself, claimed that this was the true story of the trial.²⁰²

Q. The story you told about your colleague St. Peter, is that also the Gospel truth? A. Yes, sir, it is.

Q. In "Plaintiffs' Exhibit 1" (XVI : 16-19), you testified that Peter was the Nazarene's most trusted disciple, and that he alone had recognized the Nazarene as "the Messiah" and "the Son of the everlasting God." Now you tell us that this same saintly Peter was a corrupt and callous liar. After lying, by denying that he ever knew his holy saviour, he repeated the lie, substantiating it with an oath (XXVI : 72). And a third time, he cursed and swore that his lie was true (verse 74). Are you consistent? A. I recorded facts, sir.²⁰⁴

Q. You testified (XXVI : 71) that "when he was gone out into the porch, another maid saw him" and she recognized him as one of the disciples of Jesus. But Peter himself recorded (Mark XIV : 69) that it was the same maid who had made the first identification. What caused you to contradict St. Peter and say that it was "another maid"?²⁰⁵ A. I was guided by divine inspiration, sir.

Q. You stated (XXVI : 72) that St. Peter substantiated his second denial with an oath. Peter himself, however, did not mention such an oath. He simply stated (Mark XIV : 70): "And he denied it again." What motive did you have in reporting that your colleague St. Peter swore falsely? A. I had no other motive, sir, than to state the truth. In a divinely inspired document no persons are respected.

Q. You testified (XXVII : 1) that "when morning was come, all the chief priests and the elders of the people took counsel against Jesus to put him to death." Were there no

“scribes” among the judges in this assembly? A. I suppose there must have been, as before.

Q. Why, then, did you see fit to omit them in this instance? A. I suppose it was merely an oversight.²⁰⁶

Q. Now, St. Matthew, can you tell the Court and the ladies and gentlemen of the jury whether this session of the judges held at the break of day was a new one, not composed of the same members who were present at and conducted the trial at the palace of the high priest Caiaphas, or was it a mere continuation, after some recess, of the after midnight session? A. I cannot say, sir.

Q. Can you tell the Court and the ladies and gentlemen of the jury to what purpose “all the chief priests and elders of the people” had gathered early in the morning of the first day of Passover? Was it just that “they took counsel against Jesus to put him to death,” as you stated? But had they not already found him guilty of the capital crime of blasphemy at the night trial? What, then, did those learned men wish to ascertain or establish in the morning? Or, did this august body just meet to bind him and lead him away to Pontius Pilate (verse 2)? A. I really don’t know; my inspiration did not divulge these facts.²⁰⁷

Q. Can you tell at what place this august body assembled? A. No, sir.

Q. But tell me, St. Matthew, to the best of your knowledge, are historic documents written in such a careless, slipshod manner?

Mr. Christiani: Your Honor, I object to this question of Counsel, on the ground that it is incompetent, irrelevant, and immaterial. This document, “Plaintiffs’ Exhibit 1,” was not introduced as an historic document. It is the Gospel of Jesus our lord. Furthermore, I object to the Counsel’s use of such terms as “careless” and “slipshod” when describing the Gospel. It is one of the books of the Holy Writ, and we must treat it with respect.

Mr. Ben Yehudah: I agree, Your Honor, that the Gospel was not designed to be an historic document.²⁰⁸ Even a religious document, however, cannot evade history and logic,

especially when it deals with so serious a matter as the trial and conviction of a celestial being in a human court of law.

The Court: The question put by Counsel to the witness is not objectionable. As it calls only for a statement of opinion, however, the witness will not be instructed by the Court to answer it. He may do so if he desires. Please proceed.

(Cross-examination resumed by Mr. Ben Yehudah:) Q. Do you care to answer my question, sir? A. No, sir, I do not.

Q. You testified (XXVII : 2) that "when they had bound him, they led him away." Did they have to "carry him away" as St. Peter recorded in his document (Mark XV : 1)? A. Not according to my inspiration, sir.

Q. Did a multitude of people follow the jurists of the Great Sanhedrin when they marched with the prisoner to the Roman procurator? A. Yes, sir (verse 20, *infra*)

Q. Do you mean to tell us that on a Festival, the solemn Festival of Passover, when the Jews were to celebrate the feast in the Temple of God by sacrificing offerings and singing hymns of praise to the Almighty, the chief priests and the other Jewish dignitaries had nothing else to do but march through the streets of Jerusalem with a bound convict followed by a mob? What a ludicrous and preposterous sight that must have been! A. Nevertheless this is what they did.

Q. And you also wish the Court and the jury to believe that the greatest dignitaries of Jerusalem, immediately after the sacred service on Passover-eve, defiled the Festival by causing the arrest and holding a court-session, and that after a sleepless night, they paraded to the palace occupied by the Roman Procurator to make an accusation against one of their compatriots? A. This is exactly what took place, sir.

Q. Now, St. Matthew, in "Plaintiffs' Exhibit 1" (XXVI : verse 5), you averred that because the Jewish judges had feared the indignation of the people, they had not dared to try the Nazarene during the Passover week. Is that true? A. Yes, sir. Our lord was beloved by tens of thousands of followers, and especially by the Galileans.

Q. And because of that fear, you say, the chief priests, scribes, elders, and all the other Jewish dignitaries of Jerusalem

conducted the so-called trial at an hour when all Jerusalem was soundly asleep and in the secluded sanctum of the high priest Caiaphas. Isn't this correct? A. Yes, it is correct.

Q. But now you presume to tell us (XXVII :2) that after they had found him guilty of the capital offense of blasphemy, they suddenly forgot their fear of the people and dared to parade with the bound Nazarene through the streets of Jerusalem in broad daylight, on the first day of a solemn Festival, from the palace of the high priest to the palace occupied by the Roman Procurator Pontius Pilate. And they did this in the company of that very "multitude" of people whom they so dreadfully feared (verse 20, *infra*). Would you say that these two statements of yours are consistent? A. To say that this is an inconsistency would be heresy, sir.

Q. You stated that your master was very popular among thousands of people, especially among the Galileans. Yet, when he was led through the streets of Jerusalem, not a single person interfered with the Jewish judges. Evidently, your master was not very popular, after all. As you well know, many thousands of Jews from all provinces of the Holy Land, including Galilee, had gathered in Jerusalem to celebrate the Passover near the Temple of God. Isn't this correct? A. Yes, sir.

Q. Yet, no one interfered or spoke up for your master, not even the Galileans and his most devout disciples. What cowards they must have been! Where now were the thousands of admirers and followers, the healed lepers, and the lame, and those stricken with the palsy, and those possessed of the devils—where were all those people who had witnessed the performance of his miracles, all those great multitudes of men and women spoken of in your document? Not a trace of them! How do you account for this, St. Matthew? A. I don't know, sir.

Q. You stated (XXVII : 4) that when Judas admitted that he had betrayed an innocent man, the chief priests said to him: "What is that to us? see thou to it." Is this a correct quotation? A. Yes, sir, it is.

Q. Are you aware, St. Matthew, to what extraordinary lengths you have gone in order to fasten the blame of your

master's death upon the Jewish people and their leaders? A. I don't understand your question, sir.

Q. Not only do you picture the Jewish authorities as guilty of premeditated murder ("Plaintiffs' Exhibit 1," XXVI : 4; XXVII : 1; *a. fr.*), but you dare to put atrocious words into their mouths, into the mouths of the chief priests of the Temple of God at Jerusalem and of the elders of the people, the representatives of the nation of Israel. Why? A. Because it is true.

Q. But, St. Matthew, can you not see the absurdity of your story? The alleged traitor, Judas Iscariot, who betrayed your master for the paltry sum of thirty pieces of silver, thirty sheckels, this man, you say, is stricken with remorse, and openly confesses his crime in the Temple to the chief priests and the elders. But they, the lawless, godless, heartless murderers, the representatives of the law, religion, morals, and ethics, in the presence of the people and in the presence of the Almighty, say to Judas: "What is that to us? see thou to it"; that is to say: "If you have committed the very serious offense of causing the death of an innocent man, it is none of our business but it is your own affair." Is this the correct meaning of your statement?²⁰⁹ A. Yes, sir.

Q. But do you yourself really believe this criminal nonsense? Do you actually believe that the members of the highest court in the Jewish commonwealth would have acted like fools and hoodlums, openly defying the Law of God in His very Temple?

Mr. Christiani: Your Honor, I object to this question as being incompetent, irrelevant and immaterial. The witness is being asked to express disbelief in his own statement.

Mr. Ben Yehudah: May I remind this Court that by his own admission the witness is reporting from hearsay. His testimony runs counter to all human experience. Never in history could the supreme court of any land have tried a case involving capital punishment in the ridiculous manner described by this witness. I therefore maintain, Your Honor, that my question is entirely proper.

Mr. Christiani: But the witness has already stated, Your

Honor, that his testimony is based not on hearsay but on divine inspiration.

The Court: Objection overruled. Proceed with the cross-examination.

(Cross-examination resumed by Mr. Ben Yehudah:) Q. St. Matthew, you testified (verse 2, *supra*) that the chief priests and the elders were at this very hour parading with the convict through the streets of Jerusalem to the judgement hall of the Roman Procurator. You told us that afterwards they waited among the rabble and argued with the Procurator until the prisoner was declared guilty and condemned to crucifixion (verses 20, 22-24, *infra*), and that they remained until the crucifixion in order to mock the Nazarene while he was nailed to the cross (verses 41-43, *infra*). Is that correct? A. Yes, sir; that is correct.

Q. But you also stated (XXVII : 3) that immediately after the condemnation of Jesus by the Jewish court, Judas came to the chief priests and the elders in the Temple. Now which is true? Were the chief priests and the elders in the Temple, or were they marching through the streets? Can you reconcile these inconsistencies?²¹⁰ A. There can be no inconsistencies in my Gospel, sir, and I need not reconcile them.

Q. You testified (XXVII : 5) that Judas went and hanged himself. Is that true? A. Absolutely, sir.²¹¹

Q. For what reason did the Jewish dignitaries come with the Nazarene before Pilate? A. To lodge a complaint against him.²¹²

Q. Now, let us get the story straight, St. Matthew. Early in the morning on the first day of Passover, the Jewish dignitaries came to Pilate with the Nazarene, and they stood before a man, who is described ²¹³ as one of the most ruthless and unjust governors ever sent by the Roman government to rule Judea; a man to whom thousands of lives, especially Jewish lives, were very cheap; a heartless man to whom justice and mercy were entirely unknown: To this man, you say, the Jewish leaders brought a convicted prisoner, a Jew, for execution. But when they got there, they remained dumb; they lodged no complaint against their shackled prisoner. Is that

reasonable? A. But they did later lodge a complaint against our master (XXVII : 12).²¹⁴

Q. But in verse 11 you testified that Pilate asked him, "saying, Art thou the King of the Jews?" According to your own testimony, the Jews thus far had said nothing to Pilate. Did the Roman Procurator then anticipate the nature of the charge against the Nazarene? A. Yes, sir.

Q. Had Pilate and the Nazarene ever met before this incident? A. Not to my knowledge.

Q. How, then, did Pilate happen to guess or to know, if you will, that the convict had ever claimed to be the king of the Jews? The Jewish leaders could not possibly have lodged such an accusation against the Nazarene, since, according to your own testimony (XXVI : 65-66, *supra*), they had found him guilty of the religious offense of blasphemy, and not, as Pilate charged, of the political offense of treason. Was Pilate endowed with the gift of prophecy? A. I really don't know why Pilate asked that question, sir.²¹⁵

Q. You averred (XXVII : 12) that the Nazarene was accused by the chief priests and elders. Do you happen to know what accusation these men of learning brought against the Nazarene? A. I don't know, sir; my divine inspiration did not disclose that.²¹⁶

Q. You testified (XXVII : 14) that the Nazarene made no reply to Pilate. Now, St. Matthew, was not your master habitually candid and outspoken, and respectful of the law of the land? A. Certainly he was.

Q. Then why did he now disdain the order of the presiding judge, Pilate, and refuse to answer to the many "things" that were testified against him? Would not civility and politeness have prompted him to heed the judge's demand? Are you certain that your lord behaved so sullenly? A. I did not say he was sullen, sir. He simply remained silent.

Q. You stated (XXVII : 14) that Pilate "marvelled greatly" at the silence of the Nazarene. Don't you think it is preposterous to state that a judge, be he a Roman Procurator or an ordinary presiding justice, would marvel at the obstinate silence of a prisoner, refusing to answer a question put to him? If under

our modern systems of law, such a man would be held for contempt of court and punished, what do you think would have been the penalty under the old Roman system as practiced in the subjugated provinces? Yet you say that Pilate simply marvelled and did nothing more? Does this appear reasonable to you, St. Matthew?²¹⁷ A. Eminently reasonable, sir. Ordinarily, silence might be taken as a confession of guilt. But our lord's silence produced an uncomfortable effect upon the Roman Procurator, and he sought to free the prisoner.²¹⁸

Q. Now, you testified (XXVII : 15) that Pilate at that Feast was wont to release to the people one prisoner according to the people's wish. Is this true? A. Certainly, sir.²¹⁹

Q. Do you believe, then, that this cruel Roman Procurator was so anxious to appease the Jews, that he introduced the custom of releasing one Jewish prisoner before or on the Passover? And do you wish the Court and the ladies and gentlemen of the jury to believe that this Jew-hater not only purposely chose a Jewish Festival for the occasion, but he also left it entirely to the Jews to release "whom they would," even if the prisoner happened to be condemned for a most heinous offense, such as murder or treason? A. It would seem so.

Q. You testified (XXVII : 16) that "they had a notable prisoner, called Barabbas." Can you tell the Court and the jury what this prisoner was guilty of, and why he was notorious? Had he committed a very serious offense, or was he a man of great repute among the Jews?²²⁰ A. I cannot tell, sir.

Q. You averred (XXVII : 17): "Therefore when they were gathered together . . ." Will you please explain who were they who had gathered together and where? Do you refer to the rabble that had assembled in and around the Praetorium?²²¹ A. Yes, sir.

Q. You stated (XXVII : 17) that the Jew-hating Pilate asked of them: "Whom will ye that I release unto you? Barabbas, or Jesus which is called Christ?" Did he, then, leave the choice solely to the Jews? A. Yes, sir.

Q. But where did the Roman Procurator learn the conception of a Christ? and did he, a pagan, understand its significance? He was privileged to hear only a few words from the

mouth of your master. Surely he could not have gained from those few words any conception of the meaning of the Jewish Christ. Were these words actually uttered by Pilate?²²² A. I presume he knew the significance, because he used the expression.

Q. According to your report, your master did not make the claim before Pilate that he was Christ, nor did the Jews accuse him of claiming to be one. How, then, did it occur to Pilate at this moment to call your master "Christ"? A. But my master did admit to Pilate that he was "the king of the Jews."

Q. Do you mean that the pagan Procurator concluded that your master assumed the title of Christ from his equivocal admission of being the king of the Jews? A. Yes, sir.

Q. You will admit, I hope, that to a Roman mind a "king" simply meant a mortal with a crown on his head and a scepter in his hand, like Tiberius Caesar, and not a "Christ." Now, do you want us to believe that this Roman pagan was so far advanced in Christian theology that he knew the type of "king" to which the Nazarene referred, namely, the "Son of God," the great "Messiah" who would bring about the looked-for millennium, the existence of the "kingdom of God"? A. I do not understand your question, sir.²²³

Q. Very well. Pass it by, St. Matthew. You testified further (XXVII : 18): "For he knew that for envy had they delivered him." Can you tell the Court and the ladies and gentlemen of the jury, how this Procurator came to surmise that the Jewish leaders had delivered the Nazarene to him because of envy? Thus far the accusers had said nothing at all, and no charges had been preferred against the Nazarene. Was Pilate endowed with the gift of prophecy?²²⁴ A. I do not know, sir.

Q. But according to your own statement (verse 11, *supra*), the prisoner himself admitted to Pilate that he was guilty of treason by claiming to be the king of the Jews. Yet, in spite of this Pilate saw nothing but a motive of envy? A. Yes, sir, so it was.

Q. You testified (XXVII : 18): "For he knew that for envy they had delivered him." To whom does this pronoun "they" refer? A. To those persons spoken of before (verse 17, *supra*),

namely, the rabble who had gathered near the judgement hall.

Q. According to your testimony, then, Pilate attributed this envy to the whole people, and not only to the high priests. Isn't this correct? A. Yes, sir.

Q. Let me remind you, please, what St. Peter recorded in his document (Mark XV : 10): "For he knew that the chief priests had delivered him for envy." According to St. Peter, Pilate ascribed the envy to the chief priests only. Why did you deem it necessary to alter St. Peter's record? Did you have a motive for that change? Was it your boundless hatred toward the Jews?²²⁵ A. Since the Jews refused to acknowledge Jesus and repudiated my oral teaching, God's favor was diverted from my compatriots to the Gentiles.²²⁶

Q. You well know, St. Matthew, that the Roman Procurator hated the Jews bitterly, don't you?²²⁷ A. Yes, sir.

Q. Now, then, had Pilate been convinced, as you stated, that the Jews and their leaders were acting out of pure envy, is it not reasonable to suppose that he would have liberated the Nazarene to spite them and to expose their powerlessness in the land? Is it not likely that he would have accused the accusers of conspiring against an innocent man, which was a grave offense in Roman law, especially when it involved an accusation of treason? A. He should have done so.

Q. Can you tell the Court and the jury when Pilate's wife had the dream of which you have spoken (XXVII : 19)? Was it at night while the alleged trial took place in the palace of the high priest Caiaphas, or did she suffer the "many things" in dreams during the day? A. I cannot say. But it was probably during the night.

Q. But during the night her husband had not yet been involved in this affair. Why, then, was the poor woman disturbed in her sleep? Would you say, St. Matthew, that this pagan woman—a base woman at that—was endowed with the gift of prophecy?²²⁸ A. That is not impossible, sir.

Q. Don't you, St. Matthew, find it rather difficult to explain why the gods saw fit to disturb and bring unrest and suffering of "many things" to an innocent woman who had no share whatsoever in the entire affair? Why did they not rather

intimidate either the Procurator himself in whose hands the fate of the Nazarene lay, or the Jewish leaders who, as you report, were instrumental in bringing about his arrest and who brought him before Pilate? A. I am unable to explain that, sir.

Q. Since you yourself were not present at the alleged trial before the Roman Procurator, and since this miraculous occurrence is not mentioned in any other Gospel, can you explain how you obtained your information? A. It was given me by divine inspiration, sir.

Q. You stated (XXVII : 20): "But the chief priests and elders persuaded the multitude that they should ask Barabbas, and destroy Jesus." Do you recall, St. Matthew, that St. Peter in his document (Mark XV : 11), made no mention of the elders. Did you intentionally include the elders? A. This is the way I received my inspiration, sir.

Q. You undoubtedly likewise recall that St. Peter (*l. c.*) simply stated that "the chief priests moved the people that he should rather release Barabbas unto them," but he did not state "and destroy Jesus." Were these vicious words "and destroy Jesus" added by you because of your intense hatred toward your compatriots, the Jews?²²⁹ A. A divine inspiration, sir, knows no viciousness or malice.

Q. Can you tell us by what means the Jewish leaders persuaded the people? A. No, sir.

Q. Are you at all acquainted with the political relationship that existed between Pilate and the Jews? A. Yes, sir, it was very strained, indeed.

Q. Do you mean to say, then, that the chief priests and the elders of the Jews, in the presence of the Procurator and apparently against his wishes, dared to persuade the multitude to ask for the release of Barabbas and the destruction of Jesus? A. The fact remains that they did just that.

Q. You testified (XXVII : 21) that the Procurator repeated his question to the multitude: "Whether of the twain will ye that I release unto you?" Now, St. Matthew, is this your conception as to how a trial is conducted in a legally constituted court of law? Why did the Procurator see fit to repeat the question? Why did he not, as judge, demand an answer to

the question already asked? On the whole, St. Matthew, isn't this rather strange? The Procurator knew that the charges lodged against the prisoner were false; he knew that they, the Jews and their leaders, were moved by sheer envy. Yet he wanted to know what their pleasure was with regard to releasing a prisoner. Is this logical? A. Perhaps not. Nevertheless, it is true.

Q. You know that this Roman tyrant killed thousands of Jews without batting an eyelash. Is it possible that the heart of the tyrant was softened because of his wife's message and her dream? Or, was he motivated by superstitious fright in repeating the question? What is your opinion? A. All I know is that he repeated the question.

Q. Do you wish to convey the impression that poor Pilate was now at a loss, torn between his troubled conscience and the desire of pleasing his much hated Jews, and that therefore by repeating the question he indirectly pleaded that the Jews might rescind their demand that he destroy Jesus? A. Yes, sir, that is exactly the impression I wish to convey.²³⁰

Q. According to your testimony, St. Matthew (verses 17, 21), Pilate gave the Jewish rabble a choice: they could demand the release of either Jesus or Barabbas. But you undoubtedly recall that St. Peter's records (Mark XV : 9) mention only one statement made by Pilate to the multitude, "Will ye that I release unto you the king of the Jews?" Pilate, according to this record, made no mention of Barabbas at all." Where did you get your information? A. You keep on forgetting my divine inspiration, sir.

Q. You stated (XXVII : 21) that "they said Barabbas." Who were they that responded to Pilate's question? A. The whole multitude, sir.²³¹

Q. Do you know whether it was the established practice of the Roman courts of law to consult the rabble concerning their decisions? A. I don't know, sir.²³²

Q. The whole mob, then, yelled out in response, "Barabbas"? What a refined and orderly procedure for a constituted court of law conducted by the Roman Procurator in the presence and at the behest of the judges of the Supreme

Court at Jerusalem! Does this sound plausible to you, St. Matthew? A. This is what actually took place, sir.

Q. You testified (XXVII : 22) that Pilate asked: "What shall I do then with Jesus which is called Christ?" What did Pilate wish to know now? Did he want the Jewish mob to tell him how to punish the Nazarene? A. Yes, sir.²³³

Q. Was there any other accusation lodged against the Nazarene by the Jewish authorities besides the one he himself admitted to Pilate, namely that of treason? A. No, sir, not to my knowledge.²³⁴

Q. Do you wish to tell the Court and the ladies and gentlemen of the jury that the Roman Procurator did not know what punishment the Roman law exacted for the offense of treason? If he did, why did he have to ask the Jewish mob what to do with Jesus? A. I don't know, sir.

Q. You averred (XXVII : 23) that Pilate remonstrated with the mob, and he said unto them: "Why, what evil hath he done?" Is it conceivable that treason against the Roman Caesar constituted no evil in the eyes of a Roman Procurator? Is it possible that Pilate suddenly became so helpless in the presence of a Jewish multitude that he argued, nay, pleaded with them, and asked, "What evil hath he done?" When did a Roman Procurator ever submit his judgments to the censorship of a mob, especially a Jewish mob, or plead with them to change their opinions?²³⁵ A. I know of no similar occasion.

Q. You stated (XXVII : 23) that the mob disregarded Pilate's passionate plea, and "cried out the more, saying, Let him be crucified." You testified (verses 17, 21, *supra*) that Pilate had twice requested the multitude to choose between Barabbas and the Nazarene. Now you state that a third time Pilate intervened, pleading that in his opinion the prisoner was not only not guilty of a capital offense, but indeed guiltless of "any evil." Still the mob insisted upon the crucifixion of Jesus. Is that correct? A. Yes, sir.

Q. But, St. Matthew, you well know that a judgement of "not guilty," uttered by a Roman Procurator, armed with dictatorial powers in a subdued land, was tantamount to a final and incontrovertible decision.²³⁶ Yet, you wish us to believe

that the persecuted Jews dared to reject Pilate's judgment of "innocent," and without even the formality of petition of appeal, demanded by mob acclamation that the Nazarene be crucified? Is that plausible? A. I have never considered whether or not it was plausible. It is enough that it is true.

Q. Now, when Pilate asked, "What evil hath he done?" did he not expect the Jews to prefer charges against the prisoner? A. Of course.

Q. But you say that instead of answering the Procurator's question, the judges together with the mob, merely cried out "Let him be crucified." And Pilate did not insist on an answer to his question! Who was responsible, St. Matthew, for this abysmal ignorance of court procedure, the Jewish jurists, the Roman Procurator, or your own peculiar source of inspiration? Which was it, St. Matthew?

Mr. Christiani: I object to this sort of questioning, Your Honor. The sarcasm is totally uncalled for. Its heretical essence is an abomination to all Christian believers.

Mr. Ben Yehudah: My object, Your Honor, is merely to prove to the Court and to the ladies and gentlemen of the jury that there is something radically wrong with this Saint's recording of this case. At the time this trial is supposed to have taken place, both the Romans and the Jews had already developed a highly organized system of legal practice and procedure and an advanced system of jurisprudence. If we are to believe this witness, however, both the Jewish judges and the personal representative of the Roman Caesar Tiberius, were totally ignorant of legal procedure.

The Court: I overrule the objection. Proceed with the cross-examination.

Q. To your knowledge, St. Matthew, did Pilate at any time during these alleged proceedings render a formal decision of innocence, "I find no fault in this man"?²³⁷ A. Not to my knowledge, sir.

Q. Did Pilate at any time send the Nazarene to the Tetrarch Herod who happened to be in Jerusalem at that time? A. No, sir, he did not.²³⁸

Q. Did Pilate at any time during these proceedings scourge Jesus?²³⁹ A. Not that I know of.

Q. Did the Roman soldiers, during the alleged proceedings before Pilate, mock Jesus by putting a crown of thorns upon his head and by dressing him in a purple robe, and did Pilate bring him forth thus dressed to the Jewish multitude outside the judgment hall and say to them, "Behold the man!"?²⁴⁰ A. My divine inspiration revealed none of these insults as occurring during the trial.

Q. To the best of your knowledge and information, did the Roman Procurator, Pontius Pilate, about the sixth hour of the day, present Jesus to the Jewish mob, saying, "Behold your king!"?²⁴¹ A. No, sir.

Q. You testified (XXVII : 24) that "Pilate saw that he could prevail nothing, but that rather a tumult was made." Wasn't it true, St. Matthew, that Pilate had many armed forces at his command? A. Yes, sir.

Q. Then why was he unable to cope with the situation, to prevail against a mob of defenseless Jews, simply because there was a tumult? Would you wish us to believe that this haughty dictator, delegated by Tiberius Caesar to maintain order in Judea, suddenly admitted to the mob that he was powerless in the face of their tumult? Had this tyrant forgotten the tried Roman methods of prevailing over conquered peoples? Where were the legions he kept in constant readiness in the fortresses of Antonio and Massada during the Jewish festival seasons? Were they not able to disperse or slaughter the crowd with their javelins and swords? Isn't history full of such incidents?²⁴² A. This was a rare occasion in history, sir: a time of miracles.

Q. You stated (XXVII : 24) that Pilate took water and washed his hands. Can you explain why the proud Lucius Pontius Pilate refused to enforce his decision as became a Roman dictator, and instead piously washed his hands before the multitude? A. Because he wished to emphasize to the Jewish mob that he was innocent of bloodshed.

Q. Did Pilate actually say to the Jews, "I am innocent of

the blood of this just person: see ye to it"? A. He did.²⁴³

Q. But if Pilate really believed that the prisoner was innocent, why did he have to go to the trouble of adopting the age-old Jewish custom of washing his hands and declaring his innocence, when he could have saved his victim's life by simply deciding in his favor, and by ordering his legions to enforce that decision? A. Pilate was unknowingly carrying out the decree of our lord's Father that His Son should suffer such a death.²⁴⁴

Q. You testified (XXVII : 25) that when the Jews who had gathered before the judgment hall saw that Pilate was hesitant, they said: "His blood be on us, and on our children." Is this correct? A. It is.

Q. On a previous occasion you testified²⁴⁵ to the Nazarene's extraordinary popularity when a few days before he had ridden into Jerusalem on an ass. You told us that he had been given a royal reception by great multitudes who shouted "Hosannah to the son of David," and "all the city was moved." You stated that even children acclaimed him in the Temple. Was that correct, sir? A. Certainly.

Q. Can you explain, then, why the attitude of the Jews toward the Nazarene had so suddenly and completely changed? In the space of a few days he was left without a friend or defender among the people. Instead, they now demanded his death by crucifixion, a most despicable execution, at the hands of the very Roman tyrant whom they so much feared and despised. And in order to achieve this, St. Matthew, you even tell us that the Jews were willing to curse themselves and their innocent children to all generations. What was the cause of this sudden change? A. I cannot account for that, sir.²⁴⁶

Q. Now, St. Matthew, since you were not an eyewitness to these alleged proceedings before Pilate, and since St. Peter, in his Gospel of St. Mark, makes no mention of this incident, where did you obtain your information? I presume you must have drawn heavily upon your inspiration for this portion of your narrative? A. Yes, sir.²⁴⁷

Q. Are you sure it was your inspiration, St. Matthew, and not your intense hatred of your compatriots, the Jews, which

you shared with all the early Christians, that prompted you to include this atrocious legend of the curse? Did you not deliberately attempt to justify anti-Semitic violence and persecution by thus implicating the whole Jewish nation in the alleged murder of your lord?²⁴⁸ A. My compatriots, through their blindness and obduracy, repudiated my oral teachings, and my written Gospel was intended to serve as a last word of admonition and rebuke to my unhappy compatriots, that in the last hour, before the impending judgment, before the total rejection, before the diversion of God's favor to the Gentiles, they might acknowledge Jesus as the promised Messiah.²⁴⁹

Q. And when they refused to be moved by your appeals and threats, you turned against them?²⁵⁰ A. I could not condone their attitude, sir.

Q. You stated (XXVII : 26): "When he had scourged Jesus, he delivered him to be crucified." Was scourging an element of crucifixion among the Romans? A. Yes, sir, it was.²⁵¹

Q. You testified (XXVII : 27-30) that the Roman soldiers now made sport of the Nazarene and even beat him. A few minutes ago, Pilate, according to your testimony, was moved with pity for the innocent victim. Why did he fail to admonish his soldiers to treat the victim with respect and not to cause him undue suffering and humiliation? Wasn't he well acquainted with the character of his executioners? Why did he simply deliver him into their hands to do with him as they saw fit? A. I do not know.

Q. You averred (XXVII : 27) that the soldiers took Jesus into the common hall. Was this the Praetorium? A. Yes, sir.

Q. Where, then, was the so-called trial held by Pilate? Was it not in the Praetorium? A. I am unable to tell, sir.

Q. So, according to your testimony (XXVII : 27-30), now that the cruel Roman soldiers were given a free hand, they decided to have a little sport. They gathered around them the whole band of soldiers, the whole cohort, so that they, too, might participate in the fun. They invited their comrades-in-arms to share in making sport of the "king of the Jews," the

Jews whom they were taught to drown in blood. Mighty Rome ridiculing the helpless little nation of Judea struggling for freedom: The Roman Emperor Tiberius Caesar versus the poor son of Nazareth, the "king of the Jews." Was this the picture, St. Matthew? A. Yes, sir.

Q. You testified (XXVII : 28) that the soldiers put a scarlet robe upon him. They apparently knew, then, that the Nazarene was to be crucified because by his confession he had claimed to be the "king of the Jews," and was therefore guilty of treason against the Roman Emperor, and not because the Jewish court had found him guilty of blaspheming the Jewish God. What would blasphemy have mattered to a Roman anyway! The captain in charge of the crucifixion must have had, in the decree of execution handed him by Pilate, a formal charge and a verdict of the court. And his men, as a result, were now making sport of the Jews and their self-styled king.²⁵² They dressed him in a scarlet robe, as befits a king. Is this the import of your recording, St. Matthew? A. Yes, sir.

Q. Do you know where the Roman soldiers found the scarlet robe? Had they prepared it in advance knowing that he would be condemned as "king of the Jews?" A. My inspiration failed to disclose this fact, sir.

Q. And you testified also (*l. c.*) that they put a reed in his right hand. This was to serve as a mock sceptre, was it not? A. I believe so.

Q. Since you did not witness this mockery, and St. Peter failed to mention the placing of the reed in the hand of the Nazarene (Mark XV : 17), what was the source of your information, sir? A. You keep forgetting my divine inspiration, sir.

Q. I beg your pardon, sir. Now, St. Matthew, tell us, are you familiar with the vicinity in which Pilate's hall of judgment was situated in Jerusalem? A. Yes.

Q. To your knowledge, did thorn-bushes and reeds grow in that immediate vicinity? A. No, sir, I think not.

Q. Where, then, did the Roman soldiers get the thorns and the reed? Would you say that they had prepared them in

advance and brought them in from the outskirts of Jerusalem?²⁵³ A. I cannot tell, sir.

Q. You testified (XXVII : 29) that the Roman soldiers thereafter "bowed the knee before him, and mocked him, saying, Hail, king of the Jews!" Is that correct? A. Yes, sir.

Q. This mockery was not a part of the prescribed legal procedure preceding the execution of crucifixion, was it? A. Not to my knowledge, sir.

Q. It was simply unnecessary wickedness upon the part of the Roman executioners, was it not? A. It was.

Q. Now, St. Matthew, you stated (XXVII : 30): "And they spit upon him, and took the reed, and smote him on the head." The Roman soldiers, according to your records, were not satisfied with merely heaping insults upon the unfortunate victim, but they struck him as well. Surely this was not prescribed by the Roman law as a prerequisite to crucifixion? A. No, sir, it was not.

Q. Are you certain, St. Matthew, that this mockery was staged by the Roman Procurator's soldiers, and not by the soldiers who accompanied Herod, the Tetrarch of Galilee, who was at that time in Jerusalem?²⁵⁴ A. I am certain of that, sir.

Q. You averred (XXVII : 33) that they took Jesus to a place called Golgotha, "a place of a skull." Do you mean to convey the thought that the place received its name from the human skulls lying there exposed and unburied? A. I presume so.²⁵⁵

Q. You testified (XXVII : 34) that "they gave him vinegar to drink mingled with gall." Can you tell us who were "they" that gave it to him? Were they Jews or Romans? A. I don't know, sir. This was the way it was transmitted to me.²⁵⁶

Q. You are certain, however, that the draught given to the Nazarene was a mixture of vinegar and gall? A. Yes, sir.

Q. Do you recall the statement made by St. Peter in his Gospel (Mark XV : 23): "And they gave him to drink wine mingled with myrrh"? A. Yes, sir, I do.

Q. Can you explain to the Court and to the ladies and gentlemen of the jury what motivated you to contradict St.

Peter and record that the draught consisted of a mixture of vinegar and gall?²⁵⁷ A. I followed the dictates of my inspiration, sir.

Q. You stated (*l. c.*), "And when he had tasted thereof, he would not drink." Is that correct, sir? A. It certainly is.

Q. So, according to your testimony, the "Son of God" had no knowledge as to what the mixture contained, and that therefore he first had to taste it to discover what it contained, and then he refused to drink it. Isn't this correct? A. No, sir. To my lord the veil of time was lifted. He knew what would take place in the most distant future. But why he had to taste the draught that was given him, I am unable to explain.

Q. But in this, too, St. Matthew, you contradict St. Peter's record. For, did he not state (Mark XV : 23), "But he received it not," that is, he refused to receive it, much less taste it? Can you explain why you altered St. Peter's account? A. No, sir. I am sure the alteration was made without my being conscious of it.²⁵⁸

Q. You stated (XXVII : 35) that the Roman soldiers parted the garments of Jesus by casting lots, and that this was done "that it might be fulfilled which was spoken by the prophet." What do you mean by this? Surely you could not have meant that the pagan soldiers purposely divided the garments among themselves by lot in order to fulfil a Jewish prophecy? A. No, sir. It means that the affair was so managed by the lord's Father that it might comply with the prophetic utterance.

Q. And for what reason did the lord's Father have to corroborate His own prophecy? And why did the Almighty, in His wisdom, deem it advisable to make such a prophecy? What would such partition of old clothes signify? Would it change the course of history? A. To ask such questions, sir, is sheer heresy.

Q. You averred (XXVII : 37) that Pilate set up over the head of the Nazarene his accusation which read, "This is Jesus the king of the Jews." There can be no doubt, then, in anyone's mind that Jesus was crucified by the Roman Procurator not because he was found guilty by the Jewish court of

law of having committed the religious offense of blasphemy, but because he claimed to be the "king of the Jews" which constituted treason.²⁵⁹ And according to your own testimony, this charge of treason was neither mentioned in the proceedings of the trial which was supposed to have taken place the night before in the palace of the high priest Caiaphas (XXVI : 57-66, *supra*), nor did the Jewish representatives prefer such a charge before Pilate (XXVII : 11-26). So you must necessarily admit that the accusation as written by Pontius Pilate was based solely on the admission made by the Nazarene before Pilate. Isn't this the logical conclusion of your testimony, sir? A. I believe it is the logical conclusion.

Q. You testified (XXVII : 38) that the two convicts who were crucified with the Nazarene were thieves. Do you mean to say that thieves suffered the death penalty of crucifixion under the Roman system of law?²⁶⁰ A. Yes, sir, facts speak for themselves.

Q. You averred (XXVII : 39) that "they that passed by reviled him." Can you tell the Court and the ladies and gentlemen of the jury who the mockers were? Were they Romans or Jews? A. This was the version of the account I received, and I am unable to elaborate on it, sir.

Q. You testified (*l. c.*) that they were "wagging their heads." Was it in mock commiseration? A. I presume so.²⁶¹

Q. These common people who, you say, were reviling the Nazarene (XXVII : 40), while he was suffering on the cross, used the two claims which, according to your report, were made by him at the trial before the Sanhedrin: the first claim was the one testified to by the witnesses (XXVI : 61, *supra*), and the second referred to the question of Caiaphas (XXVI : 63-64, *supra*). Then these revilers must have been Jews. Isn't that so? A. Yes, sir.²⁶²

Q. The trial of the Nazarene by the Sanhedrin, according to your own account, was held behind closed doors in the palace of the high priest after midnight, only the night before. Can you explain, then, how the issues involved at that trial so soon became the common knowledge of the Jewish masses? What means did they then have at their disposal of spreading

the news so rapidly? A. Simply by word of mouth, sir. ²⁶³

Q. And do you wish to tell us that the rabble immediately understood the issues involved and taunted the Nazarene with these issues? A. Yes, sir.

Q. Wasn't that really miraculous, St. Matthew? Now, do you also ask the Court and the ladies and gentlemen of the jury to believe that the chief priests together with the scribes and elders, the members of the highest court in Jerusalem, remained on the scene at Golgotha watching the victim's agony on the cross, and took pleasure in mocking him (XXVII : 41-42)? A. Yes, sir. ²⁶⁴

Q. Do you consider it plausible, St. Matthew, that the chief priests together with the Doctors of the Law, in the company of a mixed rabble, omitted the regular Festival service at the Temple, went without eating or drinking for many hours, and gave up a night's sleep, simply to wait at the gruesome spot, a place full of human skulls (according to your statement), for the sole purpose of poking fun at the unfortunate victim and for no other reason than that he trusted in God (verse 43, *infra*), and that God would not come to his aid? Can you yourself believe in such an absurdity?

Mr. Christiani: Your Honor, I object to this question as incompetent, irrelevant, and immaterial. My learned opponent is drawing conclusions, laying down hypotheses, and then asking the witness to agree that his testimony is absurd. I object to this form of cross-examination.

The Court: It is the opinion of this Court that Counsel for the Defense is legally entitled under the circumstances, where the witness admits that his testimony is largely based on hearsay evidence, based on accounts that had been transmitted to him, to prove to your witness that he was careless in sifting the traditions. The Defense has a right to convince the witness that many of the incidents incorporated by him in his document are not in conformity with human experience and therefore untrustworthy. I will therefore allow the Defense to continue his cross-examination in this manner. However, I would ask Counsel for the Defense to abstain from using terms and expressions which may tend to offend the Prosecution's re-

ligious convictions. Please proceed with your examination.

(Mr. Ben Yehudah resumes his cross-examination:) Q. Answer my question, please. A. I believe implicitly in what I have written.

Q. You testified (XXVII : 43) that the Jewish representatives said: "He trusted in God: let him deliver him now, if he will have him." This, St. Matthew, constitutes blasphemous mockery, for it is a direct challenge to the Almighty, and a test, as much as to say, "it is not worth one's while to trust in God the Almighty, because He is either unable or unwilling to come to one's aid in time of need." Isn't this the thought of atheists and unbelievers? Would you insist that the Jewish priests, elders, and scribes—the teachers of the Jewish religion—would utter such blasphemous words? A. These are the words they spoke.²⁶⁵

Q. You averred (XXVII : 44) that "the thieves, also, which were crucified with him, cast the same in his teeth." Do you mean by this that the thieves, too, reviled the Nazarene in the same way? A. Yes, sir.

Q. You wish us to believe, then, that men dying by slow torture, bleeding profusely and parched with thirst, would indulge in blasphemous mockery? Would any one nailed to a cross, suffering untold pain and agony, mock another victim on the cross? Such conduct is hardly in conformity with human experience. A. Human experience, sir, cannot be the measure of divine inspiration.

Q. Are you certain that both thieves reviled Jesus? Is it not a fact that one of them repented and was promised a place in Paradise by Jesus? A. Not to my knowledge, sir.²⁶⁶

Q. You stated (XXVII : 45) that from the sixth to the ninth hour of the day there was darkness over the land. Do you know at what hour the crucifixion took place? A. No, I was not present at the time.

Q. You unquestionably recall that St. Peter in his Gospel (Mark XV: 25) stated: "And it was the third hour, and they crucified him." Can you explain to the Court and the jury why you saw fit to ignore Peter's chronology? A. Because I re-

ceived more accurate information, sir. The Marcan time is extremely difficult to explain.²⁶⁷

Q. You testified (XXVII : 46) that "about the ninth hour Jesus cried with a loud voice, saying, Eli, Eli, lama sabachthani? that is to say, My God, my God, why hast thou forsaken me?" Is that correct? A. Precisely, sir.

Q. Do you mean to say that your master quoted a Biblical passage partly in Aramaic and partly in Hebrew? A. Yes, sir.²⁶⁸

Q. You also testified that on different occasions²⁶⁹ the "son of man" foretold that he was destined by his Father to be born of woman and die at the hands of pagans in order to bring salvation to this sinful world. Now, when the hour came, he cried out in despair, accusing his Father of having forsaken him!²⁷⁰ Would you say that your master was being inconsistent? A. No, sir, I dare not say that.

Q. But you testified that Jesus had accepted his destiny,²⁷¹ and that he even accepted the cup of suffering,²⁷² yet at the critical moment, he complained and cried out in despair. Would you call this being consistent? On the contrary, he should have been exalted by this final stage of the tragedy set for him by his Father. The endurance of temporary suffering—a three-day death—would bring salvation to the souls of countless sinners and be a "ransom for many"²⁷³ by remitting their sins.²⁷⁴ I ask you, St. Matthew, what could be more sublime! Wouldn't any common mortal be more than happy to suffer such a torture and such a death? Knowing as Jesus did, that after three days he would rise again and become equal with God Himself, immortal and eternal, he should have borne his torture with fortitude and contentment. But to lose faith on the cross, this is really unaccountable, is it not? A. I cannot answer for that.

Q. You stated (XXVII : 47): "Some of them that stood there, when they heard that, said, This man calleth for Elias." Is this correct? A. It is, sir.

Q. Can you please tell the Court and the jury who those people were. Were they Jews or Romans? A. I cannot.

Q. Your indefinite statements, St. Matthew, are misleading, and sometimes patently false. In this case, if the reference is made to pagans, they would know nothing about the prophet Elijah, and therefore could not have mistaken "eli" for "Elijah!" And if they were Jews, they most assuredly would not commit such a blunder. Every Jew, no matter how unlearned, would know that the word "eli" in Hebrew means "my God" and not "Elijah," because the Almighty's designation by that name was the common knowledge of every Israelite.²⁷⁵ Would you insist that this peculiar account is also divinely inspired?²⁷⁶ A. Precisely, sir.

Q. You testified (XXVII : 48) that "one of them ran, and took a sponge, and filled it with vinegar, and put it on a reed, and gave him to drink." Who was the "one of them"? And one of whom? Of the Roman soldiers, of the Jewish passers-by, or one of the Jewish leaders? A. I cannot tell who it was.

Q. Do you know where this unknown person you speak of obtained the vinegar and the sponge? Did he prepare it in advance on a prophetic intuition? A. I do not know.

Q. To what purpose did he bring it there to the scene of execution?²⁷⁷ A. I don't know, sir.

Q. You averred (XXVII : 49) that "the rest said, Let be, let us see if Elias will come to save him." Can you explain who "the rest" were? Roman soldiers, passers-by, or Jewish Doctors of the Law?²⁷⁸ A. No, sir, I cannot explain.

Q. If, according to your testimony, "the rest" knew about Elias, namely, Elijah, then they must have been Jews, because the Roman pagans certainly knew nothing about him. Consequently the "one of them" referred to by you in the preceding verse, must have been one of this group of Jews. Do you want us to believe that a Jew dared to interfere with a Roman execution? A. He apparently did interfere.

Q. What do you mean by the expression, "let be"? Let what be? does it mean "leave him," do not assist him; or "leave it," do not give him the draught?²⁷⁹ A. I really do not know.

Q. Are you certain that it was not the unknown person who gave the draught to Jesus who said, "Let us see whether

Elias will come to take him down," but the "rest of them"?
A. Yes, sir, I am certain of that.

Q. Thus, in this, too, your divine inspiration differs from St. Peter's, for he stated (Mark XV : 36) that it was the benevolent person (maybe a sarcastic person) who was anxious to see if Elijah would come to rescue him before he died.²⁸⁰

Mr. Christiani: Your Honor, I move that this statement of Counsel be stricken from the record, as incompetent, irrelevant, and immaterial. To all appearances, Counsel for the Defense is attempting to discredit the "divine-inspiration" theory advanced by the Church. He is trying to convince the jury that the Gospels were not divinely inspired by proving that their contents are incongruous and contradictory. Such heresy, Your Honor, should not be permitted to be expressed in any court of law, as it will serve one purpose only: to undermine the fundamental principles of our cherished Christian religion, and this is not the issue before the Court. Not Christianity is on trial, but the Jewish people.

The Court: Objection overruled. Counsel for the Defense is merely trying to contest the veracity of the witness' statements. Proceed.

(Mr. Ben Yehudha resuming his cross-examination:) Q. You stated (XXVII : 50) that "Jesus when he had cried with a loud voice, yielded up the ghost." This is the second time that your master cried with a loud voice. The first time he cried with a loud voice about the ninth hour of the day, that is, about three o'clock in the afternoon. At that time he uttered a Biblical verse expressing despair (verse 46, *supra*). What was the nature of his outcry now? Was it merely an outcry of despair, pain, and suffering? A. I really do not know.

Q. The portents you described (XXVII : 51-53) as having occurred immediately after Jesus had given up his ghost, did you witness them personally? A. Not all of them, sir.

Q. Do you know whether everyone was privileged to see these portents, or were they visible only to a selected few, such as the women of Galilee and the chosen Twelve, for instance? A. I presume that everybody must have seen them.

Q. If all these portents actually occurred as you stated, could not then all the men assembled in the Temple plainly see the sudden rending of the curtain, amidst a powerful earthquake that split rocks? Weren't those miracles sufficient to convince them, as it did presumably convince the pagan Roman soldiers (verse 54, *infra*), that the Nazarene was a godly person, and that his execution was a grave error and a terrible miscarriage of justice? Could not all the people, Jews and gentiles alike, now realize that the man, whom they had just a few minutes ago ridiculed and despised, was really a being sent by God? Can you explain why they all remained indifferent to him even after these supernatural phenomena and cosmic catastrophes? A. I am unable to explain that. All I know is that these miracles actually happened.

Q. You testified (XXVII : 52) that immediately after the crucifixion and the earthquake, "the graves were opened, and many bodies of the saints which slept arose." Is that correct? A. Yes, sir.

A. According to your testimony (XXVII : 53), these saints visited the people at Jerusalem after the reported resurrection which occurred on Sunday, three days after the crucifixion. Is this right? A. It is, sir.²⁸¹

Q. Can you tell the Court and the ladies and gentlemen of the jury, then, what happened to these saints during the three days that elapsed between the opening of the graves and the time they visited the people at Jerusalem? Did they just lie in their open graves and wait? A. I do not know.

Q. Isn't your story, then, inconsistent with itself? A. No, sir, divine events are never inconsistent.

Q. Can you explain who these "saints" were? What was their purpose in appearing to many in Jerusalem? Was it to frighten them? And what happened to their bodies after they had made their public appearance? Did they return to their graves? I believe that the Court and the ladies and gentlemen of the jury would be interested in knowing these facts.²⁸² A. The tradition does not divulge all these mysteries, sir.

Q. St. Peter in his Gospel (Mark XV : 38) mentioned only one portent, that of the rending of the veil in the Temple.

Where did you get your additional information? A. From a very reliable source, sir: divine inspiration.

Q. You testified (XXVII : 54) that "the centurion, and they that were with him, watching Jesus, saw the earthquake, and those things that were done." What were "those things that were done" besides the earthquake? The Roman soldiers certainly could not have seen the veil of the Temple rent in twain, as they were at that time in Golgotha, outside the city limits of Jerusalem. Neither could they have seen the graves of the saints open, because most assuredly saints could not have been laid to rest in Golgotha, the place of crucifixion. Nor were they able to see those saints creep out of their graves and visit many in Jerusalem, as this occurred three days thereafter. So, pray tell us what more did they see besides the earthquake? A. I am not sure. There may have been other miracles besides those enumerated by me in the Gospel.

Q. I see; there were miracles performed by the Almighty especially for the Roman pagans and not for the saintly Apostles. Now, you testified (*l. c.*) that the centurion and the other soldiers said: "Truly this was the Son of God." Is that correct? Are you certain that these were the words used by the Roman soldiers? A. Yes, sir; I am certain.

Q. Now, St. Matthew, you will admit that the Romans, as pagans, had no conception of the existence of a spiritual God. If they said that the Nazarene was "the Son of God," they could only have meant that they considered him a hero, a superhuman person, like others spoken of in their own mythology. Don't you think that this would be the correct meaning of their expression?²⁸³ A. I wouldn't say that, sir. They were actually imbued with the divine spirit at the time and rightly understood the meaning of the Christ on the cross.

Q. But St. Peter in his Gospel as you know (Mark XV : 39), stated that only the centurion became convinced of Jesus' Sonship and not the rest of the Roman soldiers. What made you alter his testimony and add the other soldiers? A. I followed my tradition, sir, which was independent of my colleague's testimony.²⁸⁴

Q. You testified (XXVII : 55) that there "were many

women beholding afar off.” These women, according to your testimony, were the only eyewitnesses of the crucifixion, from whom you evidently received this account. All the disciples, including you, had fled and did not return to the scene till after the resurrection. Is that correct? A. Yes, sir; that is correct.

Q. Can you explain to the Court and the jury how the women were able to hear the words from the cross, if they stood “afar off”? A. No, sir, I cannot explain that.²⁸⁵

Q. You testified (XXVII : 56) that among those women was Mary Magdalene. Who was this woman? You never mentioned her prior to this occurrence, and now you speak of her as if she had been introduced by you before and was already known to the reader. Is this the same Mary of Magdala out of whom Jesus exorcized seven demons?²⁸⁶ A. I don’t know who she was and I don’t know anything about the seven demons. All I know is that this is a tradition that was given to me as true and divinely inspired.

Q. You stated (XXVII : 57) that a rich man from Arimathaea came. At what time of the day did this Joseph come to Pilate to ask for the body of the Nazarene? A. He came there at about sunset.

Q. You averred (XXVII : 58): “Then Pilate commanded the body to be delivered.” Do you mean to imply by this that Pilate had his soldiers remove the body from the cross and give it to Joseph? A. Exactly, sir.

Q. Are you certain that Joseph himself did not take down the body from the cross?²⁸⁷ A. Of course.

Q. Do you know whether there was a certain Nicodemus that helped Joseph remove the body of Jesus? A. No, sir, not to my knowledge.²⁸⁸

Q. You testified (XXVII : 59) that “Joseph took the body, and wrapped it in a clean linen cloth”; that (XXVII : 60) “he laid the body in his own tomb, and rolled a great stone to the door of the sepulchre, and departed.” If Joseph came to Pilate to ask for the body of the Nazarene about sundown, then this must have taken place long after sunset. Surely Pilate was not anywhere near the cross at the time. Then he must have sent Joseph from Jerusalem with official orders that he be

given the body. It must have taken some time to remove the body and to bring it to the place where Joseph's private tomb was—which most assuredly was not anywhere near the place of execution—and to dress it in linen. Wasn't that the case, St. Matthew? A. Undoubtedly.

Q. But are you aware of the fact that no pious Jew would profane the Sabbath, on Friday after sunset, in such a manner? Don't you, as a Jew, know, that no religious Jew would move a dead body on the Sabbath, or dress it in linen, or bury it, or even roll a stone to the door of the sepulcher?

A. It is true; these things are forbidden by the Jewish law.²⁸⁹ But this was no ordinary occasion, sir.

Q. St. Matthew, isn't your description of the Sabbath day as "the next day, that followed the day of the preparation" (XXVII : 62) clumsy and redundant? Since the Sabbath is the important day and not Friday on which preparations are made for the Sabbath, isn't your designation of the Sabbath as "the next day that followed the day of the preparation" extremely inappropriate?²⁹⁰ A. It is, sir.

Q. Since, according to your testimony, that Friday happened to be the first day of Passover, why do you designate it as "the day of the preparation"? Isn't the first day of Passover more important in Jewish life than the day on which preparations for the Sabbath are being made? A. Yes, sir.

Q. All of you, the twelve chosen disciples, were told on several occasions by your master²⁹¹ that he would be either killed or crucified and would rise on the third day. Yet all of you, even Peter, James, and John who had been on the mount of transfiguration,²⁹² failed to remember his words, and you abandoned him to his fate. Yet his enemies, the chief priests and the Pharisees, remembered it (XXVII : 63). Isn't this rather strange?²⁹³ A. Perhaps, sir.

Q. Can you explain why the Jewish authorities failed to use the Temple-police for the purpose of guarding the tomb of Jesus, instead of coming to Pilate to beg for a guard? The Temple-police, to be sure, were entirely under their jurisdiction, and the Jewish leaders could have used them without

obtaining permission from the Roman Procurator. Isn't that so?²⁹⁴ A. Yes, sir.

Q. Now, St. Matthew, the Pharisees you speak of (XXVII : 62), were they the Jewish leaders of thought and religion who were most zealous for the Law of God and were very strict lawmakers? A. Yes, sir.

Q. But you wish the Court and the ladies and gentlemen of the jury to believe that these Pharisees together with the chief priests openly and shamelessly profaned the Sabbath! How can you account for that? A. When did I state that, sir?

Q. You testified (XXVII : 66) that after they had obtained permission from Pilate, "they went, and made the sepulchre sure, sealing the stone." At first you stated that Joseph of Arimathaea violated the laws of the Sabbath, and now you wish us to believe that the chief priests and also Pharisees, in groups, openly violated the holy Sabbath by making the sepulchre secure and sealing it. Is this also the Gospel truth? A. Yes, sir, it is.

Q. Were you present at the time the chief priests and the Pharisees went through the process of making Jesus' sepulchre secure? A. No, sir, I was not.

Q. To your knowledge, did St. Peter embody this account in his Gospel of St. Mark? A. No, sir, he did not.

Q. What motivated you, St. Matthew, then, in embodying this unwarranted nonsensical myth in your Gospel? Was it again your intense hatred of your compatriots, the Jews?²⁹⁵

A. All accounts incorporated by me in my Gospel were divinely inspired, sir.

Q. How many women came to see the sepulchre on Sunday morning? A. Two, Mary Magdalene and the other Mary.

Q. So you disagree with Peter's Gospel which states (Mark XVI : 1) that there were three women? A. My inspiration spoke of only two women, sir (XXVIII : 1).

Q. What did those two women come to the sepulchre for? A. They merely came to see the sepulchre.

Q. Did they come, as was stated by St. Peter (Mark XVI : 1), to anoint the body of Jesus with the ointment that they had

bought? A. Not according to my tradition, sir.

Q. What was the cause of the repeated earthquake (XXVIII : 2)? A. As I stated, "for the angel of the lord descended from heaven."

Q. Does it, then, necessarily follow that whenever an angel from heaven descends on a mission from the Almighty to perform a good deed, it must be accompanied by an earthquake? Many descents of angels from heaven have been recorded throughout the Biblical literature, yet there was no earthquake reported as a consequence thereof. Why was there an earthquake in this case? A. Miracles need not be explained, sir.

Q. Do you recall whether the Gospel of St. Peter contains this bit of information about the earthquake? A. No, sir, St. Peter makes no mention of the earthquake.

Q. So, St. Matthew, according to your testimony (XXVIII : 2), there was only one angel, and he sat on the stone which he had rolled away from the door of the sepulchre. Isn't that correct? A. Yes, sir.²⁹⁶

Q. Are you aware that you are again contradicting your colleague St. Peter who stated (Mark XVI : 5) that the angel sat inside the sepulchre on the right side? A. Yes, sir.

Q. Did the Roman keepers see the angel? A. Yes, sir, they did (XXVIII : 4).

Q. So the Roman soldiers, the barbaric heathens, who insulted and beat the Nazarene without cause, were privileged to behold an angel, a sight that had been withheld from many a pious man. You, for example, St. Matthew, never mentioned that you were privileged to see an angel of God.²⁹⁷ A. That is true.

Q. You testified (XXVIII : 8) that the two women "did run to bring his disciples word" of the lord's resurrection as they had been instructed by the angel. Accordingly, your divine inspiration again contradicts the statement by St. Peter in his Gospel (Mark XVI : 8): "Neither said they any thing to any man; for they were afraid." Are you aware of this contradiction? A. I am aware of it. However, I am not responsible for it.

Q. You stated (XXVIII : 9) that “as they went to tell his disciples, behold Jesus met them, saying, All hail.” Did the women recognize him at once? A. Of course, they did. Did they not worship him (*l. c.*)?

Q. Now, St. Matthew, since you were not an eyewitness to this occurrence, and since St. Peter did not mention it, where did you obtain this account of Jesus’ appearance to the two women?

Mr. Christiani: Your Honor, I object to the Counsel’s continual repetition of this question. The witness has already stated several times that his accounts were divinely inspired. How many more times does Counsel wish him to reiterate it?

Mr. Ben Yehudha: Your Honor, I believe that the jury, in fairness to the Defendants, should know which accounts were based on divine inspiration, in order to pass upon their veracity. It is unfortunate that the witness relied ever so often on inspiration and has to keep on repeating it.

The Court: Objection overruled. Proceed, please.

(Mr. Ben Yehudah resuming the cross-examination:) Q. Are you certain, St. Matthew, that Jesus saluted the two women with “all hail”? A. I am certain of that, sir.²⁹⁸

Q. Why did those two women, to whom Jesus appeared, hold him by his feet as you aver (XXVIII : 9)? A. I really can’t give the reason.²⁹⁹

Q. And Jesus did not forbid the women to hold his feet? A. Not according to my divine inspiration.³⁰⁰

Q. Are you also certain that Jesus’ charge “to tell my brethren” was given to two women and not only to Mary Magdalene? A. Yes, sir.³⁰¹

Q. According to your testimony, neither the angel (verse 7, *supra*) nor Jesus himself (XXVIII : 10) told you at what place in Galilee you were to meet him. How could you tell, then, where to go? A. By divine intuition, sir.

Q. Now, St. Matthew, it wasn’t really necessary for Jesus, as you stated (XXVIII : 10), to tell the women, “be not afraid,” for they evinced no fear, and they were already on their way to notify the disciples (verse 8, *supra*). Do you mean to imply

that your master was unaware of the fact?³⁰² A. No, sir, that was not my intention.

Q. To your knowledge, did Jesus first appear early Sunday morning to Mary Magdalene, out of whom he had cast seven devils? A. It was so stated by my colleague, St. Peter, in his Gospel (Mark XVI : 9), but my intuition directed me to omit this account.

Q. But St. Peter also averred (XVI : 10-11) that Mary Magdalene informed you of Jesus' appearance, and that you, all eleven disciples, did not believe her. Now did she, or did she not bring you the information? Did you or did you not believe her? Did the divine inspiration instruct you to hide the truth? A. I wouldn't say that, sir.³⁰³

Q. St. Peter, in his document (Mark XVI : 12-13), stated that Jesus made another appearance to two unnamed disciples on their way to the country, and that these two "told it to the residue; neither believed they them." What motivated you, St. Matthew, to ignore this account, such an important one, an appearance by your lord after resurrection? Were you guided by divine intuition? A. Yes, sir.

Q. Now, St. Matthew, tell the Court and the jury, is it true that Jesus appeared to the eleven disciples, including you, "as they sat at meat, and upbraided them with their unbelief and hardness of heart, because they believed not them which had seen him after he was risen," as was reported by St. Peter (Mark XVI : 14)? If so, why did you see fit to omit this important event? Are appearances of your lord unworthy of recording? A. I followed the dictates of my divine inspiration, sir.

Q. Can you explain to the Court and to the ladies and gentlemen of the jury, why you, St. Matthew, incorporated certain traditions in your Gospel which the other Evangelist, your colleague St. Peter, omitted? A. To what incidents do you refer, sir?

Q. To all those accounts which tend to present the Jews and their representatives in the light of lawless, heartless, and envious wretches. For instance, the account that Judas re-

pented and the chief priests and elders sneered at him,³⁰⁴ that the Jews took the blood-guilt of Jesus upon themselves and their children,³⁰⁵ that the Pharisees made the sepulchre of Jesus secure.³⁰⁶ And you now relate a tradition that the chief priests together with the other Jewish authorities bribed the Roman soldiers to lie and state that the body of Jesus had been stolen from the grave (XXVIII : 9-15). None of these alleged incidents are mentioned by St. Peter in his Gospel. Was it hatred toward the Jews that prompted your inspiration?³⁰⁷ A. These accounts were not invented by me, sir.

Q. You testified (XXVIII : 15): "This saying (meaning the incident) is commonly reported among the Jews until this day." Do you know in which book of authority among the Jews this incident is reported? A. I don't know, sir.³⁰⁸

Q. If you yourself don't know where it is reported, why did you make such a statement in your Gospel? Don't you realize that by making such unwarranted statements you are not only deceiving devout Christians, but you are also jeopardizing the lives of many innocent Jews? One who writes for posterity should be more careful to verify his statements lest countless generations be misled. Did you incorporate these traditions in your Gospel to vilify your compatriots, the Jews, in the eyes of those whom you wished to convert to Christianity? Did you not bear malice and hatred toward the Jews for having rejected your lord?

Mr. Christiani: Your Honor, I object to this line of questioning as being incompetent, irrelevant, and immaterial, and I respectfully move that it be stricken from the record.

The Court: I shall allow the Defense to ask the question, for the reason, as stated by Counsel in his opening argument to the Court and the jury, that the question of the witnesses' motive will form a part of his defense. The witness is therefore instructed to answer this question. The objection is overruled.

(Mr. Ben Yehudah resuming the cross-examination:) Q. Please answer my question. A. Very well. I pitied my people who failed to see the truth. Like the other Apostles, I pleaded with them to accept the Messiah, their Saviour, but they would

not heed me, because the envious Pharisees instructed them to have contempt for Jesus and his followers. Our compassion then turned to anger because we saw that the favor of God was turning away from them, because they refused to accept His only begotten Son. We turned to the Gentiles and they accepted him, and therefore met with favor in the eyes of the Father. But we had to give the Gentiles a reason why the lord's own compatriots refused to accept him, for it seemed rather strange that those whom he actually came to save, rejected him. Therefore were we forced to incorporate all the unpleasant traditions that reached our ears.³⁰⁹

Q. To your knowledge, St. Matthew, did your lord make any appearance to any of his disciples while you were at or near Jerusalem? A. No, sir, not that I know of.³¹⁰

Q. When did you begin to write the Gospel that bears your name? A. Not very long after the crucifixion, sir.

Q. And when did you complete it? A. Several years thereafter.

Q. Several years in the history of the world isn't a very long period. What do you mean, then, by stating (XXVIII : 15) "until this day"? Until which day? Until the day you wrote this verse? That was not so long, was it? How does it help corroborate your assertion? Such a statement is generally made only many years after the occurrence described. When did you write this, then? A. At the time I have stated.³¹¹

Q. You testified (XXVIII : 16) that you went "into Galilee, into a mountain where Jesus had appointed them." However, you had previously made no mention of such a mountain. You merely stated (verse 10, *supra*) that Jesus had told you that they (the disciples) "should go into Galilee," not specifying the particular spot. How can you reconcile this discrepancy?³¹² A. Such seeming discrepancies, sir, merely confirm the divine inspiration of the Gospel.³¹³

Q. You testified on several occasions³¹⁴ that Jesus had predicted to you, his disciples, that he would rise again after his death, or crucifixion. Is that correct? A. Yes, sir.

Q. Thereafter you averred (XXVIII : 10) that three days after his crucifixion, Jesus appeared to some women and in-

structed them to tell you that you should meet him somewhere. Is that true? A. Yes, sir, that is true.

Q. Now, when you arrived in Galilee, you found Jesus there and you worshiped him. Isn't it remarkable, St. Matthew, that with all your display of devotion and faith in your lord, some of you doubted his resurrection (XXVIII : 17) even when you actually saw him with your own eyes and worshiped him? Does not this constitute unbelief on the part of your saintly group, calling for condemnation? Were you included among the "some" that doubted? A. I don't remember, sir.

Q. You stated (XXVIII : 18): "And Jesus came and spoke unto them." But you testified before (verse 17) that he had already been there, having been seen by you, his eleven disciples, and having been worshiped by you. Where did Jesus come from now? A. I don't know, sir.

Q. You asserted (XXVIII : 18) that Jesus made the humble claim: "All power is given unto me in heaven and in earth." What about the Father, the Almighty Himself? Was He deposed by His Son? Or did the Son, like many sons here on earth, come into his inheritance while the Father still lived? A. Both became co-equal rulers of the universe.

Q. What happened to Jesus after he had given his final instructions? A. I don't know, sir.

Q. Did he not bless you, his disciples, and did you not see him ascend into heaven?³¹⁵ A. Not to my knowledge, sir.

Q. But your colleague St. Peter definitely stated in his Gospel (Mark XVI : 19): "So then after the lord had spoken unto them, he was received up into heaven, and sat on the right hand of God." This ascension is presumed to be a fact that had occurred in your presence. Why did you see fit to disregard it? Was it untrue? A. I wouldn't say that, sir.

Mr. Ben Yehudha: That will be all. The witness is yours.

Mr. Christiani: No redirect examination.

The Court: Is the Prosecution ready to proceed with the next witness?

Mr. Christiani: Yes, Your Honor, the Prosecution is ready.

Direct and Cross-Examination of St. Peter

JOHN MARK (of Jerusalem, land of Judea), called as a witness on behalf of the Prosecution, being duly sworn, testified as follows:

Direct examination by Mr. Christiani.

Q. What is your name, please? A. John Mark, commonly known as St. Mark.

Q. Where do you reside? A. In Jerusalem, land of Judea.

Q. I show you this document, bearing the title "The Gospel According to St. Mark," and ask you to state, after examining it carefully, whether you can identify it as a document written by you. A. (After examining it carefully) Yes, sir, I recognize this document and identify it as an authentic record written by me.

Mr. Christiani: Your Honor, I offer this document, known as "The Gospel According to St. Mark," in evidence, if Counsel will concede that this is an authentic copy.

Mr. Ben Yehudah (after examining the document): Your Honor, I concede that this is an authentic copy.

The Court: I shall permit this document to be introduced in evidence.

("The Gospel According to St. Mark" is received in evidence and identified as "Plaintiffs' Exhibit 2.")

(Direct examination resumed by Mr. Christiani:) Q. Now, St. Mark, I show you this document marked "Plaintiffs' Exhibit 2," and ask you to state where and from whom you obtained all the information recorded by you in this document. A. I wrote this document while residing with my master St. Peter at Rome. I was his disciple and interpreter, and I carefully noted down all the words and acts of our lord Jesus, which St. Peter related to me.¹

Mr. Ben Yehudah: Your Honor, may I please ask the Court to note my objection. I move that the document titled

"The Gospel According to St. Mark," and already introduced in evidence by the Prosecution and marked "Plaintiffs' Exhibit 2," be not permitted to remain in evidence, and that it be withdrawn, on the ground that the witness has admitted that the incidents embodied in this document are based on hearsay.

Mr. Christiani: But, Your Honor, this is an exceptional case. The witness received the information, upon which he based this document, from a unique source which has been acknowledged for centuries to be most reliable and trustworthy. He had it from the mouth of St. Peter himself. I therefore move, that the objection raised by my learned opponent be overruled.

Mr. Ben Yehudah: Your Honor, in a court of law we make no exceptions regarding hearsay evidence. Such evidence is not admissible even when it is alleged to have been obtained from the most trustworthy sources.² A witness is allowed to testify to what he himself heard and saw and not to what was told him by some one else. If the Prosecution is anxious to introduce "The Gospel According to St. Mark" in evidence, may I suggest that it call as a witness Simon Peter, commonly known as St. Peter, the original author of this document, according to the statement made by this witness. If St. Peter will identify the contents of this document as genuine, correct, and authentic as dictated by him to this witness, there can be no objection to having this document introduced in evidence and to have St. Peter himself read from its text.

Your Honor, I don't see how we can very well allow St. Mark to be a witness at all in this case. If he be permitted to testify, the Defendants will be deprived of their rights to cross-examine the witness. How can we test the veracity of a witness, who admittedly is not an eyewitness to the facts he wishes to establish? St. Mark does not contend that he himself witnessed any of the accounts alleged by him, therefore he is not subject to cross-examination by the Defense.

The Court: Mr. Christiani, in the Court's opinion, the objections raised by the Counsel for the Defense are well founded. The document, marked "Plaintiffs' Exhibit 2," cannot therefore remain in evidence, unless the Prosecution will agree

to the suggestion made by Counsel.

Mr. Christiani: The Prosecution agrees to call St. Peter as its witness.

Simon Peter (of the Province of Galilee, land of Israel), called as a witness on behalf of the Prosecution, being duly sworn, testified as follows:

Direct Examination by Mr. Christiani.

Q. What is your name, please? A. Simon Peter, son of Jonas,³ commonly known as St. Peter.

Q. Where do you reside? A. In the Province of Galilee, in the land of Israel.

Q. Do you know John Mark, commonly known as St. Mark? A. Yes, sir, I do. He was one of my favorite disciples.

Q. Now, St. Peter, I show you this document, known as "The Gospel According to St. Mark," and ask you to read carefully to yourself the incidents recorded in Chapters XIV, XV, and XVI thereof, and tell the Court and the jury whether those incidents were related exactly as you had described them to John Mark, your disciple.

A. (After perusing the Chapters referred to) My disciple has faithfully and accurately recorded what I have told him.

Mr. Christiani: I move, Your Honor, that this document, known and designated as "The Gospel According to St. Mark," be re-admitted in evidence.

Mr. Ben Yehudah: No objection, Your Honor.

The Court: I shall permit this document to be reintroduced in evidence.

(The document, "The Gospel According to St. Mark," is re-admitted in evidence, and identified as "Plaintiffs' Exhibit 2")

Mr. Christiani (resuming his direct examination): Q. Will you, St. Peter, be able to relate from memory the incidents recorded in this document, "Plaintiffs' Exhibit 2," or do you wish to refer to its text to refresh your recollection? A. I would rather refer to the text, sir.

Q. Very well, then. Now please tell the Court and the ladies and gentlemen of the jury about the events that occurred two days before the crucifixion of our lord Jesus Christ. A.

(The witness reads from "Plaintiffs' Exhibit 2," Mark XIV : 1-2:)

1 After two days was the feast of passover, and of unleavened bread:⁴ and the chief priests and the scribes sought how they might take him by craft, and put him to death.

2 But they said, Not on the feast day, lest there be an uproar of the people.

Q. Now, St. Peter, please tell the Court and the jury what happened immediately after that. A. The anointing incident occurred immediately after that. (The witness reads Mark XIV : 3-9:)

3 And being in Bethany in the house of Simon the leper, as he sat at meat, there came a woman having an alabaster box of ointment of spikenard very precious; and she brake the box, and poured it on his head. 4 And there were some that had indignation within themselves, and said, Why was this waste of ointment made? 5 For it might have been sold for more than three hundred pence,⁵ and have been given to the poor. And they murmured against her. 6 And Jesus said, Let her alone; why trouble ye her? she hath wrought a good work on me. 7 For ye have the poor with you always, and whensoever ye will ye may do them good: but me ye have not always. 8 She hath done what she could: she is come aforehand to anoint my body to the burying.⁶ 9 Verily I say unto you, Wheresoever this gospel shall be preached throughout the whole world,⁷ this also that she hath done shall be spoken of for a memorial of her.

Q. Now, St. Peter, please tell the Court and the jury what followed. A. The next incident concerns the conspiracy of Judas Iscariot and the chief priests. (The witness reads Mark XIV : 10-11:)

10 And Judas Iscariot, one of the twelve, went unto the chief priests, to betray him unto them. 11 And when they heard it, they were glad, and promised to give him money. And he sought how he might conveniently betray him.

Q. What happened after this? A. The preparation for the Passover was made. (The witness reads XIV : 12-16:)

12 And the first day of unleavened bread, when they killed the passover,⁸ his disciples said unto him, Where wilt thou that we go and prepare that thou mayest eat the passover. 13 And he sendeth forth two of his disciples, and saith unto them, Go ye into the city, and there shall meet you a man bearing a pitcher of water: follow him. 14 And wheresoever he shall go in, say ye to the goodman of the house, The master saith, Where is the guestchamber, where I shall eat the passover with my disciples? 15 And he will show you a large upper room furnished and prepared: there make ready for us. 16 And his disciples went forth, and came into the city, and found as he had said unto them: and they made ready the passover.

Q. What happened after this? A. The Last Supper was the next incident. (The witness reads XIV : 17-25:)

17 And in the evening he cometh with the twelve. 18 And as they sat and did eat, Jesus said, Verily I say unto you, One of you which eateth with me shall betray me. 19 And they began to be sorrowful, and say unto him one by one, Is it I? and another said, Is it I? 20 And he answered and said unto them, It is one of the twelve, that dippeth with me in the dish. 21 The Son of man indeed goeth, as it is written of him: but woe to that man by whom the Son of man is betrayed! good were it for that man if he had never been born.⁹ 22 As they did eat, Jesus took bread, and blessed, and brake it, and gave to them, and said, Take, eat: this is my body. 23 And he took the cup, and when he had given thanks, he gave it to them: and they all drank of it. 24 And he said unto them, This is my blood¹⁰ of the new testament, which is shed for many. 25 Verily I say unto you, I will drink no more of the fruit of the vine, until that day that I drink it new in the kingdom of God.¹¹

Q. Were you one of the twelve disciples? A. Yes, sir.

Q. And were you present when this happened? A. I was.

Q. Please tell the Court and the jury what happened thereafter. A. The lord predicted my denial of him. (The witness reads Mark XIV : 26-31:)

26 And when they had sung an hymn, they went out

into the mount of Olives. 27 And Jesus saith unto them, All ye shall be offended because of me this night: for it is written, I will smite the shepherd, and the sheep shall be scattered.¹² 28 But after that I am risen, I will go before you into Galilee.¹³ 29 But Peter said unto him, Although all shall be offended, yet will not I. 30 And Jesus said unto him, Verily I say unto thee, That this day, even this night, before the cock crow twice, thou shalt deny me thrice. 31 But he spake the more vehemently, If I should die with thee, I will not deny thee in any wise. Likewise also said they all.

Q. Please tell the Court and the jury whether you are the Peter mentioned in your testimony. A. I am, sir.

Q. Please proceed. A. (The witness continues reading from the text, Mark XIV : 32-42:)

32 And they came to a place which was named Gethsemane: and he saith to his disciples, Sit ye here, while I shall pray. 33 And he taketh with him Peter and James and John, and began to be sore amazed, and to be very heavy; 34 And saith unto them, My soul is exceeding sorrowful unto death: tarry you here and watch. 35 And he went forward a little, and fell on the ground, and prayed that, if it were possible, the hour might pass from him. 36 And he said, Abba, Father,¹⁴ all things are possible unto thee; take away this cup from me; nevertheless not what I will, but what thou wilt. 37 And he cometh, and findeth them sleeping, and saith unto Peter, Simon, sleepest thou? couldest not thou watch one hour? 38 Watch ye and pray, lest ye enter into temptation. The spirit truly is ready, but the flesh is weak. 39 And again he went away, and prayed, and spake the same words. 40 And when he returned, he found them asleep again, (for their eyes were heavy,) neither wist they what to answer him. 41 And he cometh the third time, and saith unto them, Sleep on now, and take your rest: it is enough, the hour is come, behold the Son of man is betrayed into the hands of sinners. 42 Rise, let us go; lo, he that betrayeth me is at hand.

Q. Now, St. Peter, please tell the Court and the jury of the incident that took place after the agony at Gethsemane.

A. The arrest of our lord is the next event. (The witness reads Mark XIV : 43-52:)

43 And immediately, while he yet spake, cometh Judas, one of the twelve, and with him a great multitude¹⁵ with swords and staves from the chief priests and the scribes and the elders. 44 And when he that betrayed him had given them a token, saying, Whomsoever I shall kiss, that same is he; take him, and lead him away safely. 45 And as soon as he was come, he goeth straightway to him, and saith, Master, master; and kissed him.¹⁶ 46 And they laid their hands on him, and took him. 47 And one of them that stood by drew a sword, and smote a servant of the high priest, and cut off his ear. 48 And Jesus answered and said unto them, Are ye come out, as against a thief, with swords and with staves to take me? 49 I was daily with you in the temple teaching, and ye took me not: but the scripture must be fulfilled. 50 And they all forsook him and fled.¹⁷ 51 And there followed him a certain young man, having a linen cloth cast about his naked body; and the young men laid hold on him: 52 And he left the linen cloth, and fled from them naked.

Q. Now, please tell the Court and the jury what took place after this. A. (The witness reads Mark XIV : 53-65:)

53 And they led Jesus away to the high priest: and with him were assembled all the chief priests and the elders and the scribes. 54 And Peter followed him afar off, even unto the palace of the high priest: and he sat with the servants, and warmed himself at the fire. 55 And the chief priests and all the council sought for witness against Jesus to put him to death; and found none. 56 For many bare false witness against him, but their witness agreed not together. 57 And there arose certain, and bare false witness against him, saying. 58 We heard him say, I will destroy this temple that is made with hands, and within three days I will build another made without hands. 59 But neither so did their witness agree together. 60 And the high priest stood up in the midst, and asked Jesus, saying, Answerest thou nothing? what is it which these witness against thee? 61 But he held his peace, and answered nothing. Again the high

priest asked him, and said unto him, Art thou the Christ, the Son of the blessed?¹⁸ 62 And Jesus said, I am: and ye shall see the Son of man sitting on the right hand of power, and coming in the clouds of heaven. 63 Then the high priest rent his clothes, and saith, What need we any further witness? 64 Ye have heard his blasphemy: what think ye? And they all condemned him to be guilty of death. 65 And some began to spit on him,¹⁹ and to cover his face,²⁰ and to buffet him, and say unto him, Prophecy:²¹ and the servants did strike him with the palms of their hands.

Q. Please explain to the Court and the jury in what capacity the high priest presided over the Jewish dignitaries that had assembled in his palace? A. As President of the Great Sanhedrin, the highest court in the land of Israel.²²

Q. Please proceed now and tell us what took place after the trial. A. The next incident relates to myself, sir. (The witness reads Mark XIV : 66-72:)

66 And as Peter was beneath in the palace, there cometh one of the maids of the high priest: 67 And when she saw Peter warming himself, she looked upon him, and said, And thou also wast with Jesus of Nazareth. 68 But he denied, saying, I know not, neither understand I what thou sayest. And he went out into the porch; and the cock crew. 69 And a maid saw him again,²³ and began to say to them that stood by, This is one of them. 70 And he denied it again. And a little after, they that stood by said again to Peter, Surely thou art one of them: for thou art a Galilean, and thy speech agreeth thereto. 71 But he began to curse and to swear, saying, I know not this man of whom ye speak. 72 And the second time the cock crew. And Peter called to mind the word that Jesus said unto him, before the cock crow twice, thou shalt deny me thrice.²⁴ And when he thought thereof, he wept.

Q. Did anything happen after that? A. The trial before the Roman Procurator Pontius Pilate took place the following morning. (The witness reads Mark XV : 1-15:)

1 And straightway in the morning the chief priests held a consultation with the elders and scribes and the whole

council, and bound Jesus, and carried him away, and delivered him to Pilate. 2 And Pilate asked him, Art thou the king of the Jews? And he answering said unto him, Thou sayest it. 3 And the chief priests accused him of many things: but he answered nothing. 4 And Pilate asked him again, saying, Answerest thou nothing? behold how many things they witness against thee. 5 But Jesus yet answered nothing; so that Pilate marvelled. 6 Now at that feast he released unto them one prisoner, whomsoever they desired. 7 And there was one named Barabbas, which lay bound with them that had made insurrection with him, who had committed murder in the insurrection. 8 And the multitude crying aloud began to desire him to do as he had ever done unto them. 9 But Pilate answered them, saying, Will ye that I release unto you the king of the Jews?²⁵ 10 For he knew that the chief priests had delivered him for envy. 11 But the chief priests moved the people, that he should rather release Barabbas unto them. 12 And Pilate answered and said again unto them, What will ye then that I shall do unto him whom ye call the king of the Jews? 13 And they cried out, Crucify him. 14 Then Pilate said unto them, Why, what evil hath he done? And they cried out the more exceedingly, Crucify him. 15 And so Pilate, willing to content the people, released Barabbas unto them, and delivered Jesus, when he had scourged him, to be crucified.

Q. Tell the Court and the jury what happened after the trial by the Roman Procurator. A. The abuse of our lord Jesus by the Roman soldiers came next. (The witness reads Mark XV : 16-20:)

16 And the soldiers led him away into the hall, called Praetorium; and they called together the whole band. 17 And they clothed him with purple, and platted a crown of thorns, and put it about his head. 18 And began to salute him, Hail, king of the Jews! 19 And they smote him on the head with a reed, and did spit upon him, and bowing their knees worshipped him. 20 And when they had mocked him, they took off the purple from him, and put his own clothes on him, and led him away to crucify him.

Q. What happened after the abuse of our lord? A. They

crucified our lord Jesus Christ. (The witness reads Mark XV : 21-41:)

21 And they compel one Simon a Cyrenian, who passed by, coming out of the country, the father of Alexander and Rufus,²⁶ to bear his cross. 22 And they bring him unto the place Golgotha, which is being interpreted, the place of a skull.²⁷ 23 And they gave him to drink wine mingled with myrrh: but he received it not. 24 And when they had crucified him, they parted his garments, casting lots upon them, what every man should take. 25 And it was the third hour, and they crucified him. 26 And the superscription of his accusation was written over, THE KING OF THE JEWS. 27 And with him they crucified two thieves; the one on his right hand, and the other on his left. 28 And the scripture was fulfilled, which saith, And he was numbered with the transgressors. 29 And they that passed by railed on him, wagging their heads, and saying, Ah, thou that destroyest the temple, and buildest it in three days, 30 Save thyself, and come down from the cross. 31 Likewise also the chief priests mocking said among themselves with the scribes, He saved others; himself he cannot save. 32 Let Christ the king of Israel descend now from the cross, that we may see and believe. And they that were crucified with him reviled him. 33 And when the sixth hour was come, there was darkness over the whole land until the ninth hour. 34 And at the ninth hour Jesus cried with a loud voice, saying, Eloi, Eloi, lama sabachthani? which is, being interpreted, My God, my God, why hast thou forsaken me? 35 Some of them that stood there, when they heard that, said, This man calleth for Elias, 36 And one ran and filled a sponge full of vinegar, and put it on a reed, and gave him to drink, saying, Let alone, let us see whether Elias will come to take him down. 37 And Jesus cried with a loud voice, and gave up his ghost. 38 And the veil of the temple was rent in twain from the top to the bottom. 39 And when the centurion, which stood over against him, saw that he so cried out, and gave up his ghost, he said, Truly this man was the Son of God. 40 There were also women looking on afar off: among whom was Mary Magdalene, and Mary the mother of James the less and of Joses, and Salome. 41 (Who also when in Galilee, followed him, and ministered unto him:) and many other

women which came up with him unto Jerusalem.

Q. Please tell us what happened after the crucifixion. A. The burial of our lord Jesus Christ. (The witness reads Mark XV : 42-47:)

42 And now when the even was come, because it was the preparation, that is, the day before the Sabbath. 43 Joseph of Arimathaea, an honorable counsellor, which also waited for the kingdom of God, came, and went in boldly unto Pilate, and craved the body of Jesus. 44 And Pilate marvelled if he were already dead: and calling unto him the centurion, he asked him whether he had been any while dead. 45 And when he knew it of the centurion, he gave the body to Joseph. 46 And he bought linen, and took him down, and wrapped him in the linen, and laid him in the sepulchre which was hewn out of a rock, and rolled a stone unto the door of the sepulchre. 47 And Mary Magdalene and Mary the mother of Joses beheld where he was laid.

Q. Now please tell us what happened after the burial. A. Our lord was resurrected. (The witness reads Mark XVI : 1-8:)

1 And when the Sabbath was passed, Mary Magdalene, and Mary the mother of James, and Salome, had bought sweet spices, that they might come and anoint him. 2 And very early in the morning the first day of the week, they came unto the sepulchre at the rising of the sun. 3 And they said among themselves, Who shall roll us away the stone from the door of the sepulchre? 4 And when they looked, they saw that the stone was rolled away: for it was very great. 5 And entering into the sepulchre, they saw a young man sitting on the right side, clothed in a long white garment; and they were affrighted. 6 And he saith unto them, Be not affrighted: Ye seek Jesus of Nazareth,²⁸ which was crucified: he is risen; he is not here: behold the place where they laid him. 7 But go your way, tell the disciples and Peter that he goeth before you into Galilee: there shall ye see him, as he said unto you. 8 And they went out quickly, and fled from the sepulchre; for they trembled and were amazed: neither said they anything to any man; for they were afraid.

Q. Now, St. Peter, have you anything more to add? A. Yes, sir, I would like to relate the appearances of our lord Jesus Christ after the resurrection. (The witness reads Mark XVI : 9-18:)

9 Now when Jesus was risen early the first day of the week, he appeared first to Mary Magdalene, out of whom he had cast seven devils. 10 And she went and told them that had been with him, as they mourned and wept. 11 And they, when they had heard that he was alive, and had been seen of her, believed not. 12 After that he appeared in another form unto two of them, as they walked, and went into the country. 13 And they went and told it to the residue: neither believed they them. 14 Afterward he appeared unto the eleven as they sat at meat, and upbraided them with their unbelief and hardness of heart, because they believed not them which had seen him after he was risen. 15 And he said unto them, Go ye into the world, and preach the gospel to every creature. 16 He that believeth and is baptized shall be saved; but he that believeth not shall be damned. 17 And these signs shall follow them that believe: in my name shall they cast out devils; they shall speak with new tongues; 18 They shall take up serpents; and if they drink any deadly thing, it shall not hurt them; they shall lay their hands on the sick, and they shall recover.

Q. Now, St. Peter, please tell the Court and the jury what happened after that. A. Our lord Jesus Christ ascended. (The witness reads Mark XVI : 19-20:)

19 So then after the lord had spoken unto them, he was received up into heaven, and sat on the right hand of God. 20 And they went forth, and preached everywhere, the Lord working with them, and confirming the word with signs following.

Mr. Christiani: That will be all, sir; the witness is yours.

The Court: The Defense may now cross-examine the witness.

Cross-examination by Mr. Ben Yehudah.

Q. You stated (XIV : 1) that "after two days was the feast of the passover, and of unleavened bread." Are these two distinct festivals among the Jews, or is it one festival known by two distinct names? A. It is the same spring Festival known either as the "Feast of Passover," or as the "Feast of Unleavened Bread."

Q. There was, then, actually no need to designate this Festival by two terms, as either one of these two terms would suffice to denote the Feast itself? A. I believe either term would have been sufficient.²⁹

Q. You testified (XIV : 1) that two days before this Feast "the chief priests and the scribes sought how they might take him by craft, and put him to death." Were these Jewish officials holding a regular court session for the purpose? A. Not to my knowledge, sir.

Q. So you are merely describing their intentions. How did you learn that they were anxious to seize Jesus by craft and to put him to death? A. This fact was made known to all our brethren by divine inspiration.³⁰

Q. To your knowledge, were the elders of the people included in this vile plot? A. No, sir. I don't believe that the elders were implicated.

Q. Now, St. Peter, you are undoubtedly personally acquainted with the disciple Levi the Son of Alphaeus, commonly known as St. Matthew, aren't you? A. Of course I am.

Q. You have heard St. Matthew testify in this Court³¹ that two days before the Feast of Unleavened Bread, the chief priests and scribes and elders of the people had gathered in the palace of the high priest Caiaphas for a consultation, that is, they convened in a court session to devise ways and means of seizing the Nazarene by craft for the purpose of killing him. Do you still insist that no court convened in the palace of the high priest at this time, and that the elders were not implicated? A. I know of no such session, nor do I know that the elders were implicated in this plot.

Q. Did the Nazarene ever make a prediction to you and

your fellow-disciples that he would be betrayed to be killed? A. He did.³²

Q. Did he make this prediction to you two days before the Passover? A. No, sir.

Q. You have heard St. Matthew testify in this Court³³ that the Nazarene made that prediction two days before the Passover to all the disciples, including you. Is he mistaken? A. Jesus made no such prediction.

Q. You testified (XIV : 2) that the Jewish authorities were afraid to carry out their nefarious plot during the Festival, because they feared the people. To your knowledge, St. Peter, did they finally dispose of Jesus in secret after the Feast? A. No, sir. They tried him in their court on the first day of Passover, and thereafter led him to the Roman Procurator to be crucified.

Q. So, according to your statement, these wise men of Jerusalem were both foolish and inconsistent? A. Yes.

Q. Did you go with your master to the house of Simon the leper at the time he was anointed with the precious oil by a woman? A. Yes, sir.

Q. Are you certain that this incident occurred in the house of Simon the leper and not in the house of Lazarus? A. I am certain of that, sir.

Q. Do you know when that incident occurred? A. Some time during the two days before the Feast of Passover.

Q. Are you sure that it was not six days before the Passover? A. I am certain of that, sir.³⁴

Q. What did the woman do with the oil or the ointment? A. She poured it on our lord's head.

Q. You are certain that she did not pour it on his feet? A. I am sure of that, sir.³⁵

Q. You testified (XIV : 4) that some of the disciples were indignant. Some, then, were not indignant? A. That is correct.

Q. But you have heard St. Matthew testify in this Court³⁶ that "when the disciples saw it, they had indignation," which would imply that "all" of your colleagues were indignant. Isn't that so? A. Yes, St. Matthew was somewhat inaccurate in this detail.

Q. Did you, St. Peter, ever deal in precious ointments besides plying your regular trade of catching and selling fish?
A. No, sir, I never dealt in ointments.

Q. How, then, did you estimate the value of the ointment poured out by the woman on the head of the Nazarene as precisely three hundred pence? A. That was a mere guess. It might have been worth somewhat more or less.

Q. I see. Now, you testified (XIV : 7) that the Nazarene said to the indignant disciples that he took preference over the poor in having the precious oil poured on his head. Do you mean to tell us that Jesus had such little regard for the poor that he justified the extravagant act of pouring three-hundred-pence worth of oil on his head? A. This is exactly what our lord said to us, sir.³⁷

Q. You quoted the Nazarene as saying (XIV : 8), "She is come aforehand to anoint my body to the burying." Do you wish to convey the thought that this woman was endowed with the gift of prophecy and that she had done this in anticipation of the crucifixion? A. Yes, sir.³⁸

Q. Do you know what Judas agreed to do under the terms of the betrayal agreement? A. He agreed to identify my master by means of a kiss.

Q. Were you present at this transaction between Judas and the chief priests? A. No, sir, I was not.

Q. How, then, do you know what occurred there? A. By divine inspiration, sir.

Q. To your knowledge, when Judas first proposed to betray your master, did he ask to be paid for his services? A. Not to my knowledge.

Q. It was only when the chief priests were glad to hear the proposal made by Judas that they offered to pay him for his services. Is that what you mean? A. Yes, sir. (XIV : 11).

Q. You have heard St. Matthew testify³⁹ that Judas' motive was purely mercenary and that he asked, "What will ye give me, and I will deliver him unto you." Is he wrong? A. I don't know where he obtained his information.

Q. Do you know how much money the chief priests promised the betrayer for his services? A. No, sir.³⁹

Q. Did the chief priests ever pay Judas the money they promised him? A. I am not certain that they did.⁴⁰

Q. You testified (XIV : 12), "On the first day of unleavened bread when they killed the passover." What do you mean by the expression, "when they killed the passover"? A. I mean that the Jews killed the sacrificial lamb which was to be eaten as the paschal lamb.

Q. Are you not a Jew, St. Peter, Simon the son of Jonas? A. Yes, I am.

Q. Don't you know, then, that the paschal lamb was not killed on the first day of Unleavened Bread, which really commenced after six o'clock in the afternoon of the fourteenth day of the month of Nisan, but that, in accordance with the Law of Moses,⁴¹ the Jews slaughtered their lambs in the early afternoon hours of that day? A. I stated the fact carelessly, sir.⁴²

Q. Do you know, St. Peter, why your master sent only two of his disciples? A. Because secrecy was necessary, sir.⁴³

Q. But you have heard St. Matthew testify in this Court⁴⁴ that the disciples came to Jesus and asked where they should prepare the passover, and Jesus then instructed "his disciples," apparently all of them, to go to the city. A. Sir, I am not responsible for the statements made by my co-disciple.

Q. Isn't your Gospel divinely inspired? A. Of course.

Q. But your colleague St. Matthew likewise contends that his Gospel is divinely inspired. If both are divinely inspired, how can they contradict one another? A. I would like to . . .

Mr. Christiani (interrupting the witness): Don't answer that arrogant question. Your Honor, I strenuously object to the statement of Counsel, as incompetent, irrelevant, and immaterial. Does he wish to compel the witness to state in open court that one of the Gospels, either St. Matthew's or St. Mark's is a forgery? We cannot permit such questions to be put to saintly witnesses.

Mr. Ben Yehudah: I regret that your witnesses happen to be saintly. It is still more regrettable, however, for my clients to be accused of a crime they did not commit and to be punished so horribly for it. We are now in a court of justice, and according to the fundamental principles of law in every system

of jurisprudence, if witnesses contradict one another on important data which have a direct bearing on the case at bar, their testimony must be considered as untruthful and therefore inadmissible.

The Court: The objection is overruled. You may continue with your cross-examination.

(Mr. Ben Yehudah resuming the cross-examination of St. Peter:) Q. Please answer my question. A. I was about to say before that I can vouch that my version of the Gospel is accurate and divinely inspired. However, I am not in a position to say anything concerning the Gospel of St. Matthew.

Q. According to your testimony (XIV : 13), your master did not name the person whom you, or rather the two disciples, were to see in the city, but by means of the prophetic gifts he possessed, or by means of his superhuman knowledge of future events, he told them that they would recognize the man by his carrying a pitcher of water. Isn't this correct? A. Yes, sir, it is correct.⁴⁵

Q. However, you have heard St. Matthew testify in this Court⁴⁶ that your master had given his disciples instructions, "Go into the city to such a man," that is, he expressly told them who the man was with whom they were to celebrate the Passover. A. I know St. Matthew reported thus.

Q. You testified (XIV : 14-15) that Jesus had instructed the two disciples, "The master saith, Where is the guest-chamber, where I shall eat the passover with my disciples?" And he even described the nature of the room to them. So, according to your testimony, there can be no doubt that prior arrangements with that man had been made for the keeping of the Passover in his house, either by the Nazarene himself or by his disciples. Do you know whether such arrangements had been made? A. Of course prior arrangements had been made.⁴⁷

Q. But you have heard St. Matthew tell a different story concerning the same incident. He averred⁴⁸ that while Jesus named the person with whom he desired to celebrate the Passover, he instructed his disciples to say to him: "The master saith, My time is at hand," (by the way no such statement is

mentioned by you at all) "I will keep the passover at thy house with my disciples." According to this witness, this was the first time the subject was broached to that person of the Nazarene's wish to celebrate the Passover in his house. In fact, the Nazarene, in his message to the man, tried to explain to him the reason he wished to do so. It was a sort of a plea to arouse the man's sympathy: "My time is at hand"; you must grant my request for it is perhaps the last one I will make of you. Do you insist that your version is correct? A. Decidedly, sir.

Q. When you speak of the evening in your testimony (XIV : 17), to what evening do you refer? A. The evening of the fourteenth day of Nisan when the paschal lamb was to be eaten in accordance with the Law of Moses.⁴⁹

Q. And your master sat down with the twelve, including Judas Iscariot, although this disciple had already covenanted with the chief priests to betray your master? A. I am unable to explain my lord's motives.

Q. Your master then announced to his disciples, including you, that he would be betrayed by one of you (XIV : 18). And you, the most outspoken and petulant of all the disciples, took your master's grave words so lightly and unconcernedly that instead of demanding to know who the vile betrayer would be, you were just sorrowful, and unconcernedly asked, "Is it I?" How can you account for your indifference? A. I really can't explain this, sir.

Q. Are you certain that all you did was ask, "Is it I?" A. I am certain of that.

Q. Is it not a fact, St. Peter, that you beckoned to the disciple whom Jesus loved, that he should ask your master who the betrayer would be?⁵⁰ A. I don't know what you are referring to, sir.

Q. I know you don't. And did not Jesus say to that beloved disciple, "He it is, to whom I shall give a sop"? A. I still don't know what you mean.

Q. To your knowledge, did Judas at any time during that Passover meal ask, "Is it I?" A. Not to my knowledge.

Q. To the best of your knowledge, did your master at any time during the Passover supper point to the traitor Judas,

saying, in reply to Judas' question "Is it I?" "thou hast said"? A. No. The lord, in answer to our inquiries, "Is it I?" replied, "It is one of the twelve that dippeth with me in the dish," and that was all.

Q. So, according to your testimony, Jesus did not point out the betrayer to his disciples that evening. But you have heard your friend St. Matthew testify in this Court, that after the Nazarene had cursed the betrayer,⁵¹ Judas asked your master, "Is it I?" and Jesus replied, "Thou hast said." So, according to St. Matthew's testimony, Jesus had pointed out the betrayer to his disciples that very evening. Do you deny that?

A. Judas asked no such question that evening, and our lord did not accuse him.⁵²

Q. You quoted Jesus as saying (XIV : 21), "The Son of man indeed goeth, as it is written of him." Where is "it" written of him? A. In the Scripture, I guess.

Q. Then, according to your statement, Jesus accepted his fate because it had been foretold by his Father in the Scripture?

A. Yes, sir.

Q. But you stated in the same verse that Jesus had cursed the traitor for betraying him. Was it the betrayer's fault if the Almighty had ordained such a fate for His son?⁵³ A. That is a theological question, sir.

Q. You testified (XIV : 22) that "as they did eat, Jesus took bread, and blessed, and brake it, and gave to them." Was this done in the course of the meal, after they had already begun to eat? A. Yes, sir, while they were eating (verse 18).⁵⁴

Q. Did your master and his disciples have a lamb at this supper as was required by the Law of Moses? A. We did.⁵⁵

Q. Do you know why your master chose to use bread as symbolic of his body instead of using the meat of the paschal lamb for the purpose? Wouldn't that have been more impressive and more natural? A. I cannot answer for that.⁵⁶

Q. Are you certain, St. Peter, that your master made the prediction of Judas' betrayal during the supper and not after? A. I am certain of that.⁵⁷

Q. You testified (XIV : 22) that when Jesus gave his disciples the bread, he said to you: "Take, eat, this is my body."

Did he not also say: "Which is given for you: this do in remembrance of me"? A. Not to the best of my recollection, sir.⁵⁸

Q. You testified (XIV : 23) that "Jesus took the cup, and when he had given thanks, he gave it to them: and they all drank of it." Which cup in the Passover-eve ritual do you refer to? Was it the third or the fourth cup drunk after the meal?⁵⁹ A. I took no note of it, sir.

Q. What do you mean by the expression "and he gave thanks"? Do you refer to the benediction pronounced before one partakes of wine, or to the Grace recited after meals or after wine-drinking?⁶⁰ A. I cannot explain that.

Q. And when you testified that "they all drank of it," you mean that all the disciples, the eleven or twelve who were still present, drank from the same cup? A. Yes, sir, we all drank from the same cup.⁶¹

Q. And exactly what did Jesus say to you after you drank the wine? A. He said to us (XIV : 24): "This is my blood of the new testament, which is shed for many."

Q. Are you certain that this was said by your master after you drank of the wine and not before? A. Yes, sir.

Q. But you have heard your colleague St. Matthew testify in this Court⁶² that Jesus had said words to that effect "before" you drank the wine; he said it to you when he instructed you to drink it. Is your version correct? A. I am positive that my version is correct.⁶³

Q. Are you certain that all the Nazarene had said was, "which is shed for many"? A. Yes, sir, I am almost certain of that.

Q. But you have heard St. Matthew testify in this Court⁶⁴ that Jesus had said, "which is shed for many for the remission of sins." According to his testimony, your lord claimed that he had to suffer death in order that the sins of the world might be forgiven. Is he right? A. I think he is right. Jesus did die for us, so that our sins might be forgiven us.

Q. If that is the case, St. Peter, why did you omit those most important words "for the remission of sins"? Don't you realize that your negligence might have led to misunderstand-

ing and misinterpretation? A. Had I heard these words spoken by our lord, I am sure I should have recorded them.⁶⁵

Q. Once before you testified ("Plaintiffs' Exhibit 2," Chapter II : 5-7, 10) that Jesus claimed the power to forgive sins while he was on earth. Is that correct? A. Yes, sir.

Q. Now, if he assumed the divine prerogative of forgiving sins while he was yet alive, why did he have to suffer the agony of crucifixion for the very purpose of remitting sins? A. I . . .

Mr. Christiani (interrupting the witness): I strenuously object to this form of questioning, Your Honor. It calls for speculative answers. It is the essence of heresy. My learned opponent is trying to undermine the very foundations of our religion. I move that this question be disallowed and stricken from the record.

Mr. Ben Yehudah: Far be it from me to try to undermine the foundations of any religion. Every person is entitled to worship as he chooses without hindrance from others. But in this trial the fate of my client, Jewry, is at stake. I must, therefore, test the evidence of these witnesses by the vigorous laws of human experience, common sense, and logic. The question I put to this witness has no other purpose than to prove that his statements are illogical and inconsistent.

The Court: I agree with Counsel for the Defense that the question is legitimate, as it tends to test the veracity of the witness. The objection is overruled. Proceed with the question.

Mr. Ben Yehudah (resuming the cross-examination of the witness): Q. Now, St. Peter, do you care to answer this question I put to you? A. The ways of our Father in heaven cannot be bound by our mortal tests of common sense and logic.

Q. You testified (XIV : 25) that Jesus said, "until that day that I drink it new in the kingdom of God." Are these the exact words used by your lord? A. Yes, sir.

Q. Do you mean to say that the Nazarene said that he himself would drink the wine in God's kingdom, and did not include you, his disciples? A. That is what he said.

Q. But you have heard St. Matthew testify in this Court that Jesus had said,⁶⁶ "When I drink it new with you," that is, together with his disciples. Is he wrong? A. To the best

of my recollection, sir, our lord did not include us in the wine-feast.⁶⁷

Q. St. Peter, do you wish the Court and the ladies and gentlemen of the jury to believe that the Nazarene had boasted that he would indulge in the pleasure of drinking wine when the kingdom of God would come and when he would sit as ruler of the universe? Is it possible that one of the godheads should foretell the satisfaction of sensual desires in a world of beings devoid of human lusts and wants? A. This is a fine point of theology, sir, and I do not care to debate it in this Court.⁶⁸

Q. To your knowledge, St. Peter, did you and your co-disciples, during the course of the Passover-eve supper, have a strife among you "which of you should be accounted the greatest"? A. Not to my knowledge.

Q. Did the Nazarene promise you and the rest of the disciples a kingdom, "to sit on thrones judging the twelve tribes of Israel"? A. No, sir.⁶⁹

Q. Did the Nazarene, at any time during that supper, wash the feet of all his disciples, and did you protest when it came to your turn?⁷⁰ A. I really don't know what you are referring to.

Q. You averred (XIV : 27) that your master said to the disciples, "All ye shall be offended because of me this night." Is it not a fact, St. Peter, that your master spoke to you only on this occasion and said:⁷¹ "Simon, Simon, behold, Satan hath desired to have you, that he may sift you as wheat"? A. To the best of my recollection, sir, my master spoke to all of us and not to me only.

Q. You stated (XIV : 28) that the lord said to you and to the rest of the disciples: "But after that I am risen, I will go before you in Galilee."⁷² Is this a true quotation of what your lord said to you? A. Certainly.

Q. Now, in the document marked "Plaintiffs' Exhibit 2," Chapter XVI : 9-18, you recorded the appearances made by Jesus after his resurrection. Was that a true and complete record of all his appearances? A. Yes, sir.

Q. But at no time did you state that Jesus actually ap-

peared to you or to any of the other disciples in Galilee. Would you say, then, that your lord failed to keep his promise to you? A. That is absolutely impossible, sir. We perhaps failed to understand him correctly.⁷³

Q. Now, St. Peter, you were the most faithful of all the disciples, and you said to your master (XIV : 29): "Although all shall be offended, yet will not I." There can be no doubt, of course, that these were the exact words used by you, since you yourself recorded them. But is it not a fact that you also said at the same time, "Lord, I am ready to go with thee, both into prison, and to death"?⁷⁴ A. I never used those words, sir.

Q. To the best of your knowledge, did you at that time carry on some conversation with your master with reference to following him?⁷⁵ A. Not to my knowledge, sir. I faithfully recorded whatever was said by my master and myself.

Q. You testified (XIV : 30) that your lord told you: "That this day, even in this night, before the cock crow twice, thou shalt deny me thrice." Again, since you were a participant in the dialogue, you must have recorded the exact words which you used. Is there any doubt in your mind that your master said that you would deny him three times before the cock would crow twice? A. None at all.

Q. Your colleague St. Matthew, then, misquoted not only you, but your master as well in this instance. He testified that your master had said:⁷⁶ "That this night, before the cock crow, thou shalt deny me thrice." You speak of two crowings of the cock; he speaks of only one. Can you explain that contradiction? A. No, sir.⁷⁷

Q. St. Peter, did you not promise your master that you would remain faithful to him even if it cost you your life (XIV : 31)? A. I did.

Q. Did you keep your promise? A. No, sir.

Q. You testified (XIV : 34) that your master said to you, and to James, and to John: "My soul is exceeding sorrowful unto death." So, according to your statement, your master had a human soul and it shrank from the death predestined for him on the cross. Is that correct? A. Yes, sir.

Q. And you testified that he requested you, "tarry ye

here, and watch." Did he wish you to watch out for the approach of the enemy? A. I presume so.

Q. You stated (XIV : 35): "He fell to the ground, and prayed that, if it were possible, the hour might pass from him." Is this your own interpretation of your master's prayer? A. Yes, it is.

Q. Can you be even more precise? Do you mean that your master desired to escape that sacrificial death? A. That is correct.

Q. In "Plaintiffs' Exhibit 2," Chapter VIII, verse 33, you testified that your master had called you "Satan" when you protested against his willingness to accept his fate. But now you say that he desired to escape it. Are not these two statements inconsistent? A. I simply recorded what actually occurred. It is one of those apparent contradictions, which in reality are perfectly harmonious.

Q. You averred (XIV : 36) that your master prayed: "Abba, Father, all things are possible unto thee; take away this cup from me." Did you hear the exact words uttered by your master in his prayer? A. I did.

Q. But you recorded that you and your two friends who were with you were asleep when Jesus returned from his prayer, so you could not have heard his prayer.⁷⁸ A. I recorded by divine inspiration those parts of my testimony which I did not personally hear during my sleep.

Q. I see. According to your divine testimony, then, you actually recorded the exact words uttered by Jesus in his prayer? A. Yes, sir.

Q. Your colleague St. Matthew, however, testified in this Court⁷⁹ that Jesus had uttered the following entirely different prayer: "O my Father, if it be possible, let this cup pass from me." Don't you think so important a prayer deserved to be recorded accurately? Why the difference in the two versions? A. The differences are minor, sir. The two versions are substantially the same.

Q. I beg to differ with you, St. Peter. The difference is not only in words but in substance. According to St. Matthew, Jesus said, "If it be possible," meaning if it be possible

for the Almighty to change His decree. He makes the prayer conditional upon the possibility of removing the cup of punishment. According to your testimony, on the contrary, Jesus said, "All things are possible with thee," and thus prayed unconditionally.⁸⁰ Isn't this a very serious contradiction concerning the attributes of the Almighty? A. I should like to consider the question more carefully before offering a final opinion.

Q. Very well, St. Peter. You testified (XIV : 36) that finally your lord said, "Nevertheless not what I will, but that thou wilt." In other words, he now accepted the sacrificial death? A. Yes, sir.

Q. But you testified later (XIV : 39) that your lord went again and prayed, "and spake the same words," meaning the exact prayer he had first made. So, he again prayed to avoid the very fate which he had just accepted. Does this seem consistent? A. We believers have not the same standards of consistency as you, sir.⁸¹

Q. Now, St. Peter, are you certain that when the lord prayed the second time, he repeated exactly the same prayer? A. Absolutely certain.

Q. But you fell asleep again (XIV : 40); how, then, were you able to record the exact version of your lord's second prayer? A. I really don't know, unless it was by divine inspiration.

Q. When your master, finding the three of you asleep, addressed you and said (XIV : 37), "Simon, sleepest thou, couldst not thou watch one hour?" did you hear him? A. Yes.

Q. Why did your lord address this question only to you? A. Because he knew me to be the most loyal of his disciples.

Q. You testified (XIV : 40) that Jesus found you asleep again when he returned. One reproach by your divine master was evidently not enough to keep you awake even for a little while. Surely you were aware that your lord was terribly disturbed by his approaching death. How, then, can you justify your indifference? Had you lost faith in your master? A. No, sir. I was completely devoted to him. I cannot account for my dozing off again.

Q. Did Jesus wake you up when he found you asleep the second time? A. No, sir, he did not (XIV : 40).⁸²

Q. And since he did not wake you up, he naturally asked no question of you, did he? A. Naturally not.

Q. Then what do you mean by the expression (XIV : 40), "neither wist they what to answer"? There can be no reply called for, if no question is asked. A. I cannot explain that.

Q. Do you know whether Jesus prayed a third time when he left you this time? A. I can't say whether he did or not.⁸³

Q. Now, St. Peter, let me see if I have this strange story straight in my mind. When your master Jesus was about to go to pray in privacy, he pleaded with you and James and John (XIV : 34): "My soul is exceeding sorrowful unto death: tarry ye here, and watch." That is, he was lonely and full of anguish, and he longed for the warmth of your company, of your friendship and devotion. He was under the impression that in the three of you he would find solace and comfort in his misery and great sorrow, because he considered you true friends and followers upon whom he could rely. For, did you not, especially, promise faithfully (XIV : 31): "If I should die with thee, I will not deny thee in any wise"? Then when Jesus had returned from pouring out his soul before his Father, a few minutes later, he found you, all three of you, fast asleep. Your master was very much grieved, and he awakened you particularly, St. Peter, and scolded you with the words (XIV : 37): "Simon, sleepest thou, couldst not thou watch one hour?" Thereafter your master went to pray again, and when he returned, he found you asleep again. He went to pray a third time, and once again upon his return he found you asleep. Is this a correct summary of your testimony? A. Yes, sir, it is.

Q. Yet your master considered you, St. Peter, his most faithful disciple? A. He did.

Q. And so his most faithful disciple answered his heart-rending plea, by falling asleep! Was this a saintly thing to do? A. I admit that it was wrong to fall asleep. But we were tired, both from the preparation of the Passover, and from the ordeal. "Our eyes were heavy" (verse 40).

Q. You averred (XIV : 41) that when Jesus returned, he

once more found you and your two colleagues asleep. He urged you to sleep on and take your rest. Is that correct? A. Yes, sir.

Q. How do you know what the lord said to you, if you were fast asleep? A. I must have had an intuition, sir.

Q. If your intuition is still available, St. Peter, would you be good enough to tell the Court and the jury the meaning of the expression you say your master used (XIV : 41), "It is enough." What is enough? Did he mean to say that he had enough of you and your indifference? or of his misery? or of his useless and unheeded prayers? or of his ironical reproof?⁸⁴ A. I really cannot explain, sir.

Q. So you had no intuition regarding this ambiguous expression? A. No, I did not.

Q. In your opinion, St. Peter, was not Jesus the "Christ, the Son of the living God"? A. Decidedly, sir.⁸⁵

Q. Why, then, does your lord invariably style himself the "Son of man" (XIV : 41)? A. This, too, is a highly technical question in theology. I am not prepared to answer it here.

Q. You testified (XIV : 42) that suddenly Jesus said, "Rise up, let us go; lo, he that betrayeth me is at hand." But he had already expressed his willingness to accept his fate in his prayer to his Father (verse 36, *supra*). Why, then, did he ask you to flee with him when he saw the lanterns and heard the tramping of feet?⁸⁶ A. Divinely inspired actions need not conform to your concepts of consistency, sir.

Q. Did you wake up immediately when you heard the master's voice? A. Yes, at once.

Q. And what did you see when you woke up? A. I saw Judas, the traitor, coming at the head of "a great multitude, with swords and staves, from the chief priests and the scribes and the elders" (XIV : 43).

Q. To your knowledge, St. Peter, were there chief priests and captains of the temple and scribes in that multitude? A. No, sir, not to my knowledge.⁸⁷

Q. Were there any Roman soldiers, a whole cohort of them, in the multitude, under the command of a centurion? A. No, sir. They were all Jews.⁸⁸

Q. You testified (XIV : 2) that the Jewish leaders feared the fury of the people and therefore decided to postpone the arrest until after the feast. Now you tell us that they sent a whole multitude of officers to arrest him in the middle of the night. Isn't this inconsistent? Would not a multitude of people have aroused the suspicion of the pilgrims who had gathered in the city to celebrate the Festival? A. I cannot account for the wisdom of their actions, sir.

Q. You testified that Judas and the Jewish leaders had agreed upon a certain sign to be given by the betrayer to identify Jesus (XIV : 44). Consequently, we must conclude, (1) that Jesus was not a well-known figure in Jerusalem; (2) that they suspected that he would deny his identity if questioned; (3) that they did not intend to arrest all of the disciples together with him. Is this correct? A. It is correct.

Q. But, St. Peter, did you not testify elsewhere that the lord had been daily teaching in the temple (verse 49, *infra*); that he had been followed everywhere by great multitudes of people;⁸⁹ that he had been given a royal reception and welcome by the people when he entered Jerusalem?⁹⁰ Why engage the services of a traitor to identify him by the token of a kiss?⁹¹ Would you say that this is consistent? A. I do not know why.

Q. Can you explain to the Court and the ladies and gentlemen of the jury why the chief priests and the traitor chose the peculiar token of a kiss? Was a kiss the common mode of saluting a Rabbi among the Jews? A. It would seem so.⁹²

Q. What did Judas Iscariot say to his master when he faced him? A. As I have already testified (XIV : 45), he said, "Master, master," and he kissed him.⁹³

Q. To the best of your knowledge, St. Peter, did your lord say anything at all to Judas Iscariot in response to his greeting and kissing? A. No, sir, I did not hear him say anything at all to Judas after the kiss.

Q. You have heard your colleague St. Matthew testify⁹⁴ that your lord said to Judas after the kiss, "Friend, wherefore art thou come?" Did you hear your master say that?

Mr. Christiani: Your Honor, I object to this question as

being incompetent, irrelevant and immaterial. The mere fact that the witness St. Peter omitted a quotation recorded by another witness, proves nothing. When two men report an identical event, one may see fit to incorporate certain facts and quotations which the other may deem unimportant or unnecessary. The insinuations of my opponent are unfair to the witness.

Mr. Ben Yehudah: Does my learned opponent wish to say that anything spoken by your lord Jesus Christ was unimportant to St. Peter and therefore unnecessary to record? Would not his chosen Apostles consider "every" word uttered by him as of the greatest possible significance? It is no trivial matter, Your Honor, when two such saintly Apostles disagree. Surely we may be allowed to question the witness as to whether Jesus actually did say what St. Matthew reported, and if he did, why the witness saw fit to omit it?

The Court: Objection overruled. You may proceed.

(Cross-examination of St. Peter resumed by Mr. Ben Yehudah:) Q. Did you hear your lord say to the traitor after the kiss, "Friend, wherefore art thou come?" A. No, sir. I did not hear him say that. If I had heard him say it, I would not have dared to omit it.⁹⁵

Q. Did you hear your lord say to Judas after the kiss, "Judas, betrayest thou the Son of man with a kiss?" A. No, sir, I did not hear him say that either.⁹⁶

Q. Is it not a fact, St. Peter, that Jesus had surrendered himself to his captors, and not as you stated that he had been identified by a kiss in accordance with a prearranged token?⁹⁷ A. To my knowledge, sir, he was identified by a kiss.

Q. Do you know who the bold hero was who defied the authorities and cut off the ear of a servant of the high priest with a sword (XIV : 47)? A. Yes, sir, that was myself.⁹⁸

Q. It was Passover night, a holy Festival to the Lord God, was it not? A. Yes, it was.

Q. You knew that a Jew was not permitted to carry arms on a holy Festival,⁹⁹ and yet you dared to violate the law by carrying a sword and maiming a person? A. I did.

Q. But why did you strike a mere servant of the high

priest, who was only performing his duty in executing the mandate of his superiors? Would it not have been more logical on your part to aim with your sword at Judas Iscariot, the guilty one? A. I presume I just struck out blindly, sir.

Q. In view of the great courage and loyalty you displayed in attacking an officer of the law, can you please explain to the Court and to the ladies and gentlemen of the jury why a few minutes later, you, together with the other disciples, fled like cowards under cover of darkness, as you yourself testified (verse 50, *infra*)? And can you explain why a few hours later, you denied your master three times, as you yourself recorded (verses 66-72, *infra*)? A. I cannot account for it, sir.

Q. Do you mean to tell the Court and the jury that after you had maimed an officer of the law, you were not arrested for felonious assault? What about the officer whose ear you cut off? Did he do nothing to defend himself?¹⁰⁰ A. I must have escaped in the confusion, sir.

Q. To the best of your knowledge, St. Peter, did Jesus touch the ear of the servant and heal him?¹⁰¹ A. Had I seen such a miracle performed by my lord, I would have recorded it.

Q. Are you certain, St. Peter, that you cut off the ear of the servant "after" they arrested Jesus and not "before"?¹⁰² A. Of course I am certain of that.

Q. Did Jesus say anything to you after you committed this assault? A. No, sir, he immediately addressed himself to the apprehending officers (XIV : 48-49).

Q. Did he protest against your act of violence and say to you, "Put up again thy sword into his place"? A. I did not hear him say that to me, sir.

Q. But you have heard your colleague St. Matthew testify in this Court¹⁰³ that your lord at that time said to you: "Put up again thy sword into his place: for all they that take the sword shall perish with the sword." Did your colleague put these words in your lord's mouth of his own accord? Or did your lord actually say these words to you, and you purposely left them out because you did not wish to record your master's rebuke to you?

Mr. Christiani: I object to this sort of cross-examination, Your Honor, as being incompetent, irrelevant, and immaterial. Unwarranted aspersions are being cast upon my witness.

The Court: The objection is overruled. Please proceed with your cross-examination.

(Cross-examination is resumed by Mr. Ben Yehudah:) Q. St. Peter, will you please answer my question? A. I did not hear my lord say that to me.

Q. Do you mean to say that you missed the whole discourse delivered by your lord on this occasion? Strange that you should have missed one of the most important sayings ever expressed by your lord! Evidently you also failed to hear him say: "Thinkest thou that I cannot now pray to my Father, that he shall presently give me more than twelve legions of angels? But how then shall the scriptures be fulfilled, that thus it must be?"¹⁰⁴ You did not hear him say that, either, St. Peter? A. No, I did not.

Q. Did you hear your lord say to you, "suffer ye thus far"?¹⁰⁵ A. No, sir, I did not hear him say these words.

Q. Is it not a fact, St. Peter, that Jesus said to you on this occasion: "Put up thy sword into the sheath: the cup which my Father hath given me, shall I not drink it?"¹⁰⁶ A. My lord said absolutely nothing to me.

Q. So, according to your testimony, your master tacitly sanctioned your act of violence? A. Perhaps he did not, sir.

Q. Before you struck off the ear of the servant, had you together with the rest of the disciples asked your master, "shall we smite with the sword?"¹⁰⁷ A. No, sir, we asked for no such permission.

Q. You testified (XIV : 49) that Jesus said to the multitude that came to arrest him: "I was daily with you in the temple, and ye took me not." Do you know for how long a period your master taught daily in the temple with them? A. It could not have been very long, sir.¹⁰⁸

Q. You testified on a previous occasion ("Plaintiffs' Exhibit 2," Chapter III, verses 6-7) that the Pharisees took counsel with the Herodians against Jesus how they might destroy him. But Jesus "withdrew himself with his disciples to the sea."

That is to say he escaped with you from there. Now you state that your lord said to the people, "and ye took me not." According to your statements, your master was not very consistent, was he? A. My lord was always consistent. How can a godly being be inconsistent, sir.¹⁰⁹

Q. You testified (XIV : 50); "And they all forsook him, and fled." Did you flee together with the rest? A. Yes, sir, I did.

Q. Why did you flee? A. Because we feared the officers of the law.

Q. What cause did you have to fear them? A. I feared that they would arrest me as an accomplice of my master or as a material witness.

Q. Can you explain, then, why these officers failed to arrest all the disciples together with Jesus on this occasion, especially when you dared resist them? A. I don't understand it myself, sir.

Q. Is it not a fact, St. Peter, that you forsook the lord and fled because you began to lose faith in him? A. To some extent, yes. We thought that he would perform a miracle when arrested. Since he failed to do so, we lost faith in him at that time.¹¹⁰

Q. But you testified (verse 54, *infra*) that you followed him from afar; did you return from the place to which you had fled? A. Yes, sir. I wished to see what would happen to our lord, but I tried to avoid being apprehended by the officers.¹¹¹

Q. But of all the disciples, you St. Peter, the rock upon which your lord hoped to build the Church, according to the testimony of your colleague St. Matthew,¹¹² should not have lost faith in your master. You should have stuck to your master and helped him expound his new theories to the world to the very end of his days, even as you expressly promised him on a very solemn occasion (verses 29, 31, *supra*). Can you explain the cause of your faithlessness, St. Peter? A. It was the frailty of the human being, sir.

Q. So, according to your testimony, all the eleven disciples fled the scene of arrest. Who, then, was that young man who left the only linen cloth, he had cast about his naked

body, in the hands of the arresting officers, and fled from them naked? A. I really do not know what you are referring to, sir.

Q. I mean the incident which is recorded in your Gospel (Mark XIV : 51-52): "And there followed him a certain young man, having a linen cloth cast about his naked body; and the young men laid hold on him: And he left the linen cloth, and fled from them naked." Is your memory refreshed now, St. Peter? A. I still haven't got the slightest recollection of this incident. I cannot recall having told this story to my disciple John Mark.¹¹³

Q. Where did the apprehending officers take Jesus immediately after the arrest? A. To the palace of the high priest (XIV : 53).

Q. Were the members of the Sanhedrin summoned to convene in the palace of the high priest for the purpose of hearing and determining the case of your lord, after the prisoner's arrival there? A. That is correct, sir.¹¹⁴

Q. And you wish the Court and the ladies and the gentlemen of the jury to believe that seventy members of this august court, together with a number of witnesses, were summoned from their beds in the middle of the night—and a holy night, at that—to hold a criminal trial in the palace of the high priest?¹¹⁵ A. Yes, sir, this is exactly what I meant to say.

Q. You averred (XIV : 54) that you followed Jesus from afar, even into the palace of the high priest, and you sat with the servants. Now, you have heard St. Matthew testify in this Court¹¹⁶ that you went "to see the end," which implies¹¹⁷ that it was rather of curiosity than out of love. Is that correct, St. Peter? A. I don't know how he got that impression, sir.

Q. What part of the palace did you enter, and with whom did you sit? A. I entered the part beneath the palace (verse 66, *infra*), and sat together with the servants of the high priest.

Q. From the place where you were at that time, beneath in the palace, could you see what was happening in the hall where Jesus was being tried? A. No, sir, I could not. The hall of Judgment was on the floor above.¹¹⁸

Q. Consequently, you were unable to watch the pro-

ceedings. How, then, were you in a position to record every minute detail of the proceedings? A. By intuition, sir.

Q. Do you mean to say that your entire record of the trial alleged to have been held by the Sanhedrin at the high priest's palace was based on your inspiration? A. Yes, sir.¹¹⁹

Q. You testified (XIV : 55) that the members of the court or council sought for witness against Jesus to put him to death. Do you mean to say that they looked for evidence upon which he might be convicted of a capital crime? A. Yes, sir.

Q. You have heard St. Matthew testify that the Jewish judges were specifically looking for "false witness," that is, the Jewish dignitaries were anxious to obtain false witnesses in preference to true ones. Is that correct? A. I don't know what made him say that, sir.¹²⁰

Q. You stated (XIV : 56) that many came and bare false witness against Jesus, but that the witnesses contradicted one another. Do you know what the nature of the offense was which these false witnesses sought to establish against the prisoner? A. No, sir.

Q. But in a court of law this is most important to ascertain, to make out a *prima facie* case against the alleged culprit. How could you report a case of this nature in such a careless manner? A. I am not an attorney, sir.

Q. Can you tell how the members of the Sanhedrin established the falsity of the witnesses? Were the witnesses examined and cross-examined by the members of the court as was required by law? ¹²¹ A. I presume that this must have been the case.

Q. The Jewish court rejected the testimony of the witnesses because they were proven to be untrue, and looked for other testimony. Wasn't that the case? A. I presume so.

Q. Consequently, according to your testimony, the Jewish judges were anxious to have just, unbiased and true testimony; and with this in mind, as becomes honest and scrupulous judges, they carefully examined and cross-examined the witnesses. Once they found that their testimony disagreed on vital matters, they disqualified them. Wasn't that true? A. Yes, sir.

Q. Thereafter you testified (verses 57-58, *infra*) that a

set of other false witnesses came and testified, saying, "We heard him say, I will destroy this temple that is made with hands, and within three days I will build another made without hands." Was this the exact charge made by that set of witnesses before the Jewish court? A. Yes, sir.

Q. What was the exact meaning of the statement alleged by the witnesses to have been made by Jesus? A. His statement would import that Jesus, possessed with divine powers, could destroy the Temple at Jerusalem which had been built by human hands, and he could rebuild it within three days without using human hands, by a miracle.

Q. Your colleague St. Matthew, who likewise reported this alleged trial in the Jewish court, testified that this set of witnesses had quoted Jesus as saying:¹²² "I am able to destroy this temple of God, and to build it in three days." So, you disagree as to the exact statement supposed to have been made by the accusing witnesses?

Mr. Christiani: Your Honor, I object to this question of Counsel on the ground that it is incompetent, irrelevant, and immaterial. Although St. Matthew and St. Peter may differ in their recording of the exact words used by the witnesses, they are, nevertheless, in agreement as to the substance of the testimony.

Mr. Ben Yehudah: Your Honor, this is more than a mere matter of words. From a legal point of view, they disagree also regarding the nature of the charge the accusing witnesses made against Jesus on that occasion. St. Peter averred that the witnesses had testified before the Sanhedrin that Jesus had laid claim to godly or superhuman powers, and therefore he could rebuild the destroyed edifice "without human hands" in three days. Jesus was accused, then, of having claimed to be divine. In St. Matthew's version, however, the witnesses said nothing of Jesus' boast that he could accomplish this task "without human hands." This is a material question, Your Honor.

The Court: Objection overruled. Let the witness answer the question.

(Mr. Ben Yehudah resuming the cross-examination of St.

Peter:) Q. Who reported the exact version, St. Peter? A. I can vouch for the truth of my own recording, sir.

Q. You testified (XIV : 59): "But neither so did their witness agree together." Do you mean to say by this that this set of witnesses, too, was examined and cross-examined by the Jewish court and found to be false? A. Precisely.

Q. To the best of your knowledge, was the testimony, given by the last set of accusing witnesses against Jesus, rejected by the court? A. No, sir, as you can readily see from what followed.

Q. So, according to your testimony (XIV : 60), the Jewish tribunal questioned your lord and wished him to put in a defense against the charge made by the last witnesses? A. Yes, sir.

Q. Do you mean to tell this Court and the ladies and gentlemen of the jury that after rejecting the testimony of many witnesses because they were proven to be untrue, the Great Sanhedrin then decided to accept the testimony of other witnesses who were also proven false, and that they then proceeded to try Jesus on the charge preferred by this second group of false witnesses? Is that plausible? A. I can't say whether it is plausible or not; but this is the way it actually happened, sir.

Q. You undoubtedly meant to say, as you were informed by your intuition; isn't that right? A. That is right, sir.

Q. Your colleague St. Matthew, however, does not state¹²³ that the last set of witnesses contradicted one another. Consequently they were not disqualified by the court. Is it not remarkable that he saw it fit to omit this bit of information from his record? A. He must have been careless in recording the facts.¹²⁴

Q. According to your testimony (XIV : 60), the President of the Great Sanhedrin was so corrupt that he dared to violate the Law of God in open court. He demanded that the prisoner put in a defense although the testimony of the witnesses against him was proven to be false, and although no *prima facie* case was established against him. And for this purpose he accepted perjured testimony. Tell us, St. Peter,

where were the members of the Sanhedrin who were acknowledged even by you and your colleagues to have been honorable jurists? Where was Rabban Gamaliel, and where were Joseph of Arimathaea, and Nicodemus? Even they, "all" members of the court accepted perjured testimony, and on its strength tried an innocent man on a capital charge? Do you really ask us to believe these absurd statements?¹²⁵

Mr. Christiani: Your Honor, I object to the statement of Counsel, in branding the statements made in the Gospel as absurd. I move that this question be disallowed and stricken from the record.

Mr. Ben Yehudah: My contention is, Your Honor, that because some statements are not in conformity with logic and common sense, they should not have been incorporated in the Gospel which is supposed to contain nothing but the truth.

The Court: I will overrule the objection. I insist, however, that Counsel henceforth abstain from using expressions unnecessarily painful to the feelings of the Prosecution. Please proceed.

(Cross-examination of St. Peter resumed by Mr. Ben Yehudah:) Q. Please answer my question. A. Whether my statements sound logical or plausible is immaterial, sir, since I recorded faithfully in accordance with my divine inspiration.

Q. You averred (XIV : 61): "Again the high priest asked him, and said unto him, Art thou the Christ, the Son of the Blessed?" Is this an accurate account of the statement? Did the high priest use the exact phraseology as you testified? A. Decidedly.

Q. Do you know what is the real meaning of the term "Blessed" employed by the high priest? A. I presume it refers to the Almighty.¹²⁶

Q. You have heard St. Matthew testify in this Court¹²⁷ that the high priest had said to Jesus: "I adjure thee by the living God, that thou tell us whether thou be the Christ, the Son of God." But according to you, the high priest made no adjuration, and used the attribute "Blessed" instead of the word "God."

Mr. Christiani: Your Honor, I object to this question of

Counsel as being incompetent, irrelevant, and immaterial. What difference does it make whether there was an adjuration or not, or whether the high priest substituted "Blessed" for "God"? Both statements are the same in substance.

Mr. Ben Yehudah: From a legal point of view, whether Jesus was adjured or not makes a vital difference. Under the Jewish system of jurisprudence, the veracity of every witness was presumed as a matter of law, unless proven to the contrary, and for this reason a witness offering testimony in a court of law was not obliged to take an oath. If, therefore, he was found guilty of testifying falsely, he was held guilty only of violating the command prohibiting the bearing of false testimony,¹²⁸ but he could not be held guilty of swearing falsely. If, however, a witness was adjured by any one using any of the Almighty's names or any of His attributes, and the witness after using an affirmative reply testified falsely, he was held guilty of having violated two commandments, the one for testifying falsely, and the other for false swearing.¹²⁹ Hence, if St. Peter's statement be true, then Jesus would have been held guilty of only one violation of the law; whereas according to St. Matthew, he would have been held guilty of violating two distinct laws.

The Court: Objection overruled. Let the witness answer the question.

(Cross-examination resumed by Mr. Ben Yehudah:) Q. May I ask you, St. Peter, to tell the Court and the ladies and gentlemen of the jury, whether or not yours is the true version? A. I cannot vouch for anyone else's statements. I can vouch only for my own.

Q. According to your testimony (XIV : 62), Jesus, in reply to the question of the high priest, said, "I am." Is that correct? A. Precisely.

Q. So, according to your testimony, Jesus made a positive unequivocal reply before the Jewish court at Jerusalem that he was the son of the Blessed or of God. Is that right? A. It is, sir.

Q. However, you have heard your colleague St. Matthew testify in this Court¹³⁰ that Jesus had replied to the high priest's

question, "Thou hast said." Please tell us, what did Jesus actually say to the high priest?

Mr. Christiani: Your Honor, I object to this question on the ground that it is incompetent, irrelevant, and immaterial. In substance, the two answers by Jesus as given by both witnesses are the same.

Mr. Ben Yehudah: Your Honor, I maintain that, from a legal point of view, the discrepancy of the witnesses in recording the answer given by Jesus to the high priest, is a very serious one. The expression, "thou hast said," cannot legally be construed as a positive unequivocal affirmation,¹³¹ for its meaning is doubtful and uncertain. In fact, this expression may be construed as a denial to the question put to him: "It is you who states that I am the Christ the Son of God, but not I, and therefore the *onus probandi*, the burden of proving that I really am such, rests upon you." On legal principles, therefore, such an answer would not constitute an admission on the strength of which one could be condemned to capital punishment, or be convicted of any criminal offense. On the other hand, according to the testimony of St. Peter, Jesus admitted his guilt by making a direct, unequivocal, affirmative reply, "I am." Your Honor, in my opinion this is a very serious contradiction.

The Court: Objection overruled. Let the witness answer this question.

(Mr. Ben Yehudah, resuming the cross-examination:) Q. Do you, St. Peter, insist that Jesus' reply to the high priest was, "I am"? A. Yes, sir.

Q. You testified (XIV : 62) that Jesus said: "And ye shall see the Son of man sitting on the right hand of power. " To your knowledge, did he specify the time when this will come to pass? Did he say whether it would happen in the distant future, or soon? A. Not to my knowledge, sir.¹³²

Q. Now, St. Peter, you testified (XIV : 60) that, after the testimony had been given by the last set of witnesses that Jesus had boasted of possessing such supernatural powers that he could destroy the Temple and rebuild it within three days without hands, the presiding high priest became so excited that

he stood in the middle of the court-room, and demanded that the prisoner reply to the charges. According to your testimony the President of the Sanhedrin considered the alleged utterance made by the prisoner a very grave offense, and therefore was perturbed by it. You then testified (XIV : 61) that the prisoner refused to reply, and the high priest of his own accord, without the testimony of witnesses and without any charges having been preferred against him, asked him to tell whether he was "the Christ, the Son of the Blessed." The high priest obviously dropped the other charge which in his opinion was at first extremely serious, and raised an entirely new issue of his own accord. At last when the Nazarene became talkative and made reply to the query of the high priest that he would be sitting on the right hand of Power, the presiding judge expressed his opinion that there was no need for further witnesses, because the prisoner could be held guilty of the capital offense of blasphemy by his own admission, and he sought the opinion of the rest of the members of the court. Is this a true summary of your testimony, St. Peter? A. It is.

Q. Aside from the irregularities committed by the Jewish court in conducting this trial, the facts are inconsistent. If the presiding judge was under the impression that the first charges were serious, what made him drop them suddenly and raise a new issue, that of being a Christ? It does not necessarily follow that one must be a "Christ, the Son of the Blessed," simply because one boasts of being able to do miraculous deeds. Besides, what prompted the high priest to say, "What need we any further witnesses," if in reality they were not looking for any further witnesses, for according to your testimony, the President of the Sanhedrin gave credence to the testimony of the last set of witnesses despite the fact that their testimony was self-contradictory? Do you consider the whole narration, or rather report, of the present proceedings consistent? A. It was the President of the Great Sanhedrin and not my recording of the facts that was inconsistent.

Q. You averred (XIV : 64): "And they all condemned him to be guilty of death." Do you mean to say by this that "all" judges voted for the condemnation of Jesus, and that there

was not even one dissenting vote? A. This was exactly what I wished to convey, sir.¹³³

Q. And naturally this would include Gamaliel, Nicodemus, and Joseph of Arimathaea, would it not? A. Evidently, sir.¹³⁴

Q. When you stated (XIV : 65) that "some began to spit on him," etc., can you tell us who they were, servants or judges? A. I really cannot tell, sir.

Q. But you later (verse 65) make particular mention of the servants' part in the sport-making, so that apparently this "some" must have reference to the judges, does it not? A. It would appear so from the construction of the sentence.¹³⁵

Q. It is very strange, is it not, that you, the original reporter of the case, are so vague and indefinite about the actual facts?

Mr. Christiani: Your Honor, I object to the general statement made by Counsel. He fails to specify certain instances wherein my witness is vague and indefinite, but makes a broad general statement, and wishes my witness to give him the reason for an alleged but non-existent fault. I move that this question be disallowed, Your Honor.

Mr. Ben Yehudah: Your Honor, I believe I have already shown many instances of such vagueness, evasiveness, and contradiction. Yet, after all these, my learned opponent wishes me to state specific instances. Very well, I shall withdraw my question and proceed with the cross-examination in order to satisfy Counsel for the Prosecution.

Q. St. Peter, please tell the Court and the ladies and gentlemen of the jury the exact spot which you occupied when one of the maids of the high priest came. A. I was beneath in the palace, sir (XIV : 66).

Q. But you have heard your friend and colleague St. Matthew testify¹³⁶ that you were "without in the palace" of the high priest. Isn't this rather a serious contradiction? Here, St. Peter, we have two statements, both of which are supposed to be true and inspired; one made by yourself that you were "beneath in the palace" at a certain time, and the other that you were at this time "without in the palace."¹³⁷ Now, where actually were you? Beneath or without? A. Don't you think

that I ought to know whether I was beneath or without? If I testified that I was beneath, I could not have been without.

Q. I agree with you, St. Peter. I wonder how St. Matthew got the impression that you were without? A. I don't know, sir.

Q. You testified (XIV : 67) that when one of the maids of the high priest saw you warming yourself, she said: "And thou also wast with Jesus of Nazareth." This I presume is an accurate quotation of what the maid said to you. But you have heard St. Matthew testify that¹³⁶ she said: "Thou also wast with Jesus of Galilee." Not that it makes any material difference whether she used the home town "Nazareth" or the province "Galilee," but the testimony of witnesses, especially when quoting, should be accurate. Now, who was the maid that pointed you out? A. She was one of the high priest's slave-girls.¹³⁸

Q. Then you mingled with the domestics of the high priest down below or beneath the palace? Is that correct? A. Yes, sir.

Q. Are you certain, St. Peter, that you were not "in the midst of the hall" when the maid recognized you? A. I am certain of that, sir.¹³⁹

Q. Are you likewise certain that you did not gain admittance into the palace of Annas through the intercession of another unnamed disciple of Jesus, and that the girl who recognized you was the door-keeper of the high priest's palace?¹⁴⁰ A. I am sure of that, sir.

Q. You testified (XIV : 68) that after the first denial you went out into the porch and the maid saw you again and pointed you out to the people who stood by. Was that the same maid who recognized you before? A. Yes, sir.¹⁴¹

Q. But you have heard St. Matthew testify¹⁴² that this time another maid recognized you, not the same one? A. It was the same one, sir.

Q. And she said, according to your testimony (XIV : 69), "This is one of them." What did she mean by "one of them?" One of whom? A. I really don't know. Perhaps she meant one of my lord's followers.

Q. Your friend St. Matthew testified in this Court¹⁴² that the second maid said of you to the people, "This fellow was also with Jesus of Nazareth." A. To my knowledge, she said, "This is one of them."

Q. You testified (verse 30, *supra*) that your master said to you, "Before the cock crow twice, thou shalt deny me thrice." Why, St. Peter, did you not think of your master's words, especially after the first crowing of the cock? Why did it take you so long to become convinced that your master was the true Messiah? After all, you yourself had already witnessed many of the miracles wrought by your master, and now you had this additional confirmation—the crowing of the cock—that your master could foretell even the minutest detail of the future. Yet, you, Jesus' first and most faithful disciple, seeing the prophecies come true, still could not believe in him sufficiently to overcome your evil human inclination to deny him again. How do you explain this, St. Peter? A. I cannot explain it.

Q. You testified (XIV : 70) that you denied him again. Will you please tell the court and the jury what you actually said to the maiden when you denied her identification a second time? A. I do not recall the exact words, sir, and my record fails to refresh my memory.

Q. Did you substantiate your second denial by an oath? A. What? Do you mean to ask whether I swore falsely?

Q. Yes, sir. This is exactly what I want you to answer. For, you have heard St. Matthew testify,¹⁴³ "And again he denied with an oath, I do not know the man." Is that true? A. No, sir, it is not true. I never made such an oath.

Q. Are you certain, St. Peter, that this second identification was made by the same maid and not by a man? A. I don't quite understand your question, sir. Can't I tell the difference between a man and a woman?¹⁴⁴

Q. And you are also certain that this second identification was not made by a number of men?¹⁴⁵ A. It was made, as I have already stated, by a single maiden.

Q. And the third identification of you, by whom was

that made? A. The third identification was made by those men who stood around (XIV : 70).

Q. Are you certain that it was not made by one servant of the high priest, a kinsman of the one whose ear you had cut off when they came to arrest your lord Jesus? A. I am certain that a number of people made the identification of me the third time.¹⁴⁶

Q. And according to your own testimony (XIV : 71), you "began to curse and swear, saying, I know not this man of whom you speak." The fear of arrest and of being connected with your master prompted you to curse and to swear?¹⁴⁷ Is that right, St. Peter? A. Yes, sir.

Q. Your colleague St. Matthew testified¹⁴⁸ that your reply was, "I know not the man." His version is then incorrect?

Mr. Christiani: I object to this question, Your Honor. Counsel for the Defense wishes to point out a discrepancy or a contradiction between these two witnesses in order to discredit their testimony in the eyes of the jury, when in reality there is not the slightest difference in substance between one statement and the other. I therefore move that the question be disallowed.

Mr. Ben Yehudah: Your Honor, I maintain that there is a vast difference in the nature of the denial made by this witness and the one recorded by St. Matthew. The latter asserts that St. Peter had said, "I know not the man," not specifying which man. A general statement like this made by a witness is evasive and equivocal and subject to different interpretations; for it may mean, "I don't know the man" whom I have in mind and not the one you have in mind: it may refer perhaps to some man among the servants who had nothing to do with the present investigation and whom St. Peter did not actually know. It is therefore likely that St. Peter did not after all swear falsely in making his third denial. This witness, however, asserted that his statement of denial supported by a curse and an oath was emphatic and unequivocal. He used a demonstrative adjective "this" man, and further modified it by the clause "of whom you speak." This denial can no longer be applied to any

man other than the one who was then being investigated. Consequently, the oath made by this witness was definitely false according to his own account.

The Court: Objection overruled. Proceed, please.

(Mr. Ben Yehudah, resuming cross-examination of St. Peter): Q. Shall we assume, then, that the statement made by St. Matthew is incorrect? A. I don't know; I can vouch for mine only.

Q. You testified (XIV : 72) that after your third denial of the Nazarene, the cock crew a second time. Then, after the second crowing of the cock, you first called to mind that Jesus had said to you, "before the cock crow twice, thou shalt deny me thrice." Were you together with your lord in the same chamber when this denial took place? A. No, sir. He was in the hall where the trial was held, and I was beneath in the palace.

Q. Then your lord could not have looked at you when you made the third denial? A. No, sir.¹⁴⁹

Q. So, it took two crowings of a cock to remind you of your divine master's words, but his admonition made in the presence of the saintly group, consisting of the eleven chosen saints, left no impression in your mind. Isn't that correct? A. The facts speak for themselves, sir.

Q. Now, St. Peter, you testified¹⁵⁰ that your mother-in-law was healed by Jesus; that you alone protested when your master expressed to all of you his willingness to go to Jerusalem and suffer the fate meted out to him by Heaven;¹⁵¹ that you deserved to be present at the transfiguration of Jesus;¹⁵² and that you alone acknowledged Jesus as the "Son of God."¹⁵³ Your colleague St. Matthew testified that, as a reward for your acknowledgment, Jesus had said to you, "Thou art Peter, and upon this rock I will build my church; and the gates of hell shall not prevail against it,"¹⁵⁴ and that you were given the power to walk on water.¹⁵⁴ Are these accounts given by you and St. Matthew true? A. Yes, sir.

Q. Yet, with all that, you completely lost yourself when you feared that you were in danger. You denied your divine benefactor and saviour three times in succession, and even

corroborated your lie with a false oath. The crowing of a cock had more effect on you than the sacred words of your master. Your intimate association with your lord Jesus had no effect on you. You knew that lying was sinful according to the Law of Moses.¹⁵⁵ You also knew that false swearing was forbidden by the Mosaic Law.¹⁵⁶ And you knew that your master had even forbidden any kind of swearing, saying,¹⁵⁷ "swear not at all." Yet you, St. Peter, disregarded all laws and your master's admonitions? A. The flesh is weak, sir.¹⁵⁸

Q. You testified (XV : 1) that "in the morning the chief priests held a consultation with the elders and scribes and the whole council." Were you present at the consultation you mentioned? A. No, sir.

Q. Now, St. Peter, you took special pains in emphasizing (XV : 1) that the "whole council," all the members of the Great Sanhedrin, had gathered that morning on the first day of Passover, and they bound Jesus and carried him away to Pilate. Forgetting the impropriety committed by the Jewish aristocracy in carrying a bound prisoner to Pilate through the streets of Jerusalem, do you mean to tell the Court and the jury that all the members of the Great Sanhedrin—which you described with particular fullness—met in a solemn session early on the first day of Passover just to "carry him and deliver him to Pilate"? Couldn't they have accomplished this difficult task by using the Temple-force or the Roman cohort which was at their disposal?¹⁵⁹ Is your account plausible? A. Plausible or not, this is exactly what happened.

Q. At another time you testified:¹⁶⁰ "The traitor Judas had purchased a field with the money he had obtained for his betrayal; and falling headlong, he burst asunder, and all his bowels gushed out." Is this a true account as to what happened to the traitor Judas Iscariot? A. Of course, it is.

Q. You have heard St. Matthew testify in this Court¹⁶¹ that Judas repented himself and he brought back the thirty pieces of silver to the chief priests in the Temple, saying, "I have sinned in that I have betrayed innocent blood." The chief priests, according to your friend's story, refused to accept the money from his hands, and he cast down the money in the

Temple, departed, and hanged himself. St. Matthew tells us that the chief priests then took the money and bought with it the potter's field to bury strangers in.

You testified that Judas kept the money which he obtained for his betrayal, while St. Matthew says that he cast the money in the Temple. You testified that Judas himself bought the field which was known as Aceldamah, but St. Matthew testified that the chief priests bought it. You testified that Judas met with his death by accident, falling headlong and bursting asunder while all his bowels gushed out, but St. Matthew testified that Judas committed suicide by hanging himself. Do you still insist that your version of the incident is the true one?

A. I have stated the facts as they were transmitted to me, sir.¹⁶²

Q. You averred (XV : 2) that Pilate, even before the Jewish accusers had had a chance to lodge any complaint against their captive, asked the Nazarene bluntly: "Art thou the king of the Jews?" Is that correct? A. Yes, sir.

Q. It would follow, then, that Pilate had known before this incident that Jesus had made such a claim. Isn't this self-evident, according to your testimony? A. Yes, it is.

Q. Now, where might he have obtained this information? Is it probable that he learned it from his own soldiers? A. By no means. Jesus never told the Roman soldiers that he was the king of the Jews.

Q. You formerly testified in "Plaintiffs' Exhibit 2," Chapter XI, verses 1-11, that a few days before the present incident, your lord and master marched into Jerusalem surrounded by many enthusiastic followers, while he was riding on an ass. Some of the people scattered their garments in the path of the ass, while others cut down branches from the trees and strewed them in the way, and the multitude that went before and that followed cried frantically, "Blessed be he that cometh in the name of the Lord! Hosanna in the highest!" etc.¹⁶³ Do you recall this incident, St. Peter? A. Certainly. I even recall my own joy and enthusiasm, seeing the Messiah, the Christ, before the eyes of the people.

Q. Don't you think it possible, then, that the Roman soldiers who paraded the streets of Jerusalem reported this

incident, the royal reception the Nazarene had received, to their chief, the Roman Procurator Lucius Pontius Pilate? Would not these soldiers have been delinquent in their duty, had they failed to report that such an incident took place in the streets of Jerusalem at a time when thousands of people from all corners of the land had gathered to celebrate the Feast of Passover?¹⁶⁴ A: I suppose so.

Q. You testified (XV : 3) that the chief priests accused the Nazarene of many things; but he answered nothing. Now, St. Peter, are you reporting an actual trial that took place before a Roman official, the personal representative of Tiberius Caesar, the Procurator responsible for the province of Judea? A. Yes, sir.

Q. When Jesus, in reply to Pilate's question whether he was the king of the Jews, replied, "thou sayest," wasn't that an admission—an evasive admission, perhaps—that he actually was the king of the Jews? Wasn't that, in Roman law, an admission of the capital offense of treason? Yet Pilate does not follow the prescribed procedure consequent upon a confession of treason, as befits a judge who represents Rome. Instead, he listens to "many things" of which the Jewish representatives accuse the Nazarene! What were those "things" you speak of? Were they new accusations that had nothing to do with the prisoner's admission, or were they allegations made by them to corroborate the admission? Did they, for example, introduce evidence to prove that he actually laid claim to the Jewish throne? A. I am not in a position, sir, to clarify the situation.¹⁶⁵

Q. But, St. Peter, we are now in the Roman Praetorium, facing a stern, cruel judge before whom the Christ, the son of God, is to be tried for the capital offense of treason, for which he might suffer death by crucifixion. Yet, you don't seem to have any conception of the trial or even of the allegations made by the accusers against your lord. Do you consider them of such trivial importance that you simply call them by the term "things"? Did you not report this narration for posterity? A. Yes, sir, I did.

Q. But you see how many guesses and surmises and

speculations, advanced by numberless commentators, you could have averted by trying to obtain a more intelligent report of this most important trial. Don't you agree with me?

Mr. Christiani: Your Honor, I move that the Court instruct my learned opponent to abstain from using expressions that convey the idea to the ladies and gentlemen of the jury that the report given by the Evangelists of the trial by the Roman Procurator is unintelligible. In my opinion that is a question for the jury to decide.

Mr. Ben Yehudah: Your Honor, I contend that if it is the intention of the Defense to prove to the jury that the report bears the earmarks of ignorance and lack of intelligence, and therefore is not to be relied upon, I have a perfect right to tell the ladies and gentlemen that compose this jury exactly what I intend to prove. Of course, it will then be up to them to decide whether or not I succeed in proving it.

The Court: Motion denied; objection overruled. It is to be deplored that religious sentiments must play so large a part in this trial, and that sensibilities must be so deeply pained. Nevertheless this case must be tried according to principles of law and evidence, and sentiments must be disregarded. Please proceed with your examination.

Q. (By Mr. Ben Yehudah) Do you agree, St. Peter, that a more intelligent recording of the trial would have obviated so much speculation? A. I suppose that is true.

Q. You then testified (XV : 3-4) that Jesus answered nothing, and Pilate said to him: "Answerest thou nothing? behold how many things they witness against thee?" So, according to your report, Pilate as judge likewise makes no mention of accusations or allegations, but speaks of "things" that the Jewish dignitaries testified against the prisoner. Was Pilate, too, so incredibly ignorant? A. Apparently so.

Q. Is it not a fact, St. Peter, that as soon as the Jewish jurists brought Jesus before Pilate, they preferred three distinct charges against him?¹⁶⁶ A. Not to my knowledge, sir. My divine inspiration failed to disclose this to me.

Q. You averred (XV : 5) that Jesus, a deity in flesh, dis-

dained the authority of Pilate, disregarded his insistent demands that he say something or anything. Yet, the stern and cruel Pilate, instead of using his power to compel the Nazarene to answer,¹⁶⁷ simply marvelled at the prisoner's audacity! Is that what you would have us believe? A. Yes, sir.

Q. You stated (XV : 6) that Pilate was wont "to release unto them one prisoner, whomsoever they desired." You well know that this cruel Procurator hated the unruly Jews entrusted into his care by Rome. Do you mean to tell us that he would release at their request on this Feast any violator of the law, regardless of the nature of the offense? A. That would seem to be the case.

Q. Now you testified (XV : 7) that a certain prisoner was held in the custody of the Roman Procurator, by the name of Barabbas, who was one of the rebels who had participated in an insurrection against the Roman rule, and while in the act of rebelling had committed murder. Is that correct? A. Yes, this is correct.

Q. You also testified (XV : 8) that "the multitude (whoever they might be), crying aloud, began to desire him to do as he had ever done unto them." Doesn't this seem to you to be a strange method of petitioning for favors from a Roman tyrant like Pontius Pilate? To gather a mob and "cry aloud," demanding privileges? Does this sound like a procedure sanctioned by the Jewish jurists of the highest court in Jerusalem? A. Strange, perhaps, but nonetheless true.

Q. You have heard your colleague St. Matthew testify in this Court¹⁶⁸ that Pilate gave the mob a choice, and he said to them: "Whom will ye that I release unto you? Barabbas, or Jesus which is called Christ?" But according to your testimony, the mob of its own accord preferred the release of Barabbas. Do you maintain that yours is the correct version? A. I recorded faithfully the tradition submitted to me.

Q. You testified (XV : 9-12) that Pilate referred to Jesus as the "king of the Jews," but according to St. Matthew¹⁶⁸ Pilate had referred to him as "Jesus which is called Christ." Now, please tell the Court and the jury which was the correct term employed by the Roman Procurator in designating Jesus?

A. According to my divine inspiration Pilate referred to him as "king of the Jews," sir.¹⁶⁹

Q. You stated (XV : 10) that Pilate knew that the chief priests had delivered Jesus to him out of envy. Can you please tell the Court and the jury how he happened to know that such was the case? A. I don't know, sir.¹⁷⁰

Q. But what about the admission the Nazarene had made to Pilate that he was the king of the Jews? Did Pilate ignore this entirely now? A. That was mere irony on the part of the Roman Procurator to connect our lord with a crown.¹⁷¹

Q. What happened immediately after Pilate had asked the Jewish rabble whether he should release to them the king of the Jews? A. Immediately after this "the chief priests moved the people," etc. (XV : 11).

Q. But you have heard St. Matthew testify¹⁷² that something unusual happened at this stage of the trial. He said that the wife of the Roman Procurator sent word to him in the judgment hall, saying, "Have thou nothing to do with that just man; for I have suffered many things this day in a dream because of him." Can you, St. Peter, explain to the Court and the jury why you chose not to mention this incident in your record of the case? Don't you think that this incident is of the utmost importance in proving the divinity of the Nazarene, since, because of him, the heathen wife of Pontius Pilate was frightened by nightmares, or day-dreams? A. I left out the incident because I knew nothing of it.¹⁷³

Q. According to your testimony (XV : 11), the chief priests, in the judgment hall presided over by the Roman Procurator, dared to persuade the mob to disobey or disregard his judgment (verses 9, 10, *supra*). Is this logical? A. Logical or not, my divine inspiration informed me that they did.

Q. And those Jewish leaders, according to your testimony also dared to demand that Pilate, the Roman official, release to them Barabbas, a rebel and a murderer? I ask you, St. Peter, would leaders of a subjugated Roman province dare to make such a demand? A. Nevertheless they did.

Q. You then testified (XV : 12) that Pilate asked the mob,

"What will ye then that I shall do unto him whom ye call the king of the Jews?" Is this correct? A. Yes, sir.

Q. But you have heard St. Matthew testify¹⁷⁴ that at this stage of the trial, Pilate asked the mob for the second time, "Whether of the twain will ye that I release unto you? They said, Barabbas." A. I am responsible only for my own recording, sir.

Q. According to your testimony, this time Pilate referred to Jesus, "whom ye call the king of the Jews." That is to say, that the Roman Procurator now accused the Jewish representatives of being involved in the conspiracy of treason. He accuses them of calling the Nazarene their king, an act of rebellion against the crown of Rome. Isn't that correct? A. Yes, it is.

Q. Yet, not only does this inhuman Procurator permit these conspirators to go unpunished, but he even asks them if he should release their king. Isn't this peculiar? Your colleague St. Matthew was more plausible when he testified¹⁷⁵ that Pilate had referred to the Nazarene as, "Jesus which is called Christ." He did not testify as you did that Pilate implied that all the Jews gathered on the scene were implicated in the conspiracy by saying that "they" called him Christ. The words, "which is called Christ," might simply mean that the Nazarene was known as such to the people at large. A. As I have stated before, I am responsible for my own recording only.

Q. You testified (XV : 14) that after the Jewish mob had cried out, "crucify him," Pilate said to them, "Why, what evil hath he done?" This would mean to say, then, that Pilate, as judge and as supreme tribunal, expressly protested against the demand of the Jews, because in his opinion the Nazarene was innocent, having done no evil. Is this correct? A. Yes, sir.

Q. Yet, you wish the Court and the jury to believe that the Jews did not fear the wrath of the Roman tyrant, but louder than before yelled, "crucify him"? A. Exactly.

Q. Since you lived at the time of the crucifixion, you undoubtedly were familiar with the attitude of the Romans towards the Jews at that time, especially that of Pilate. You knew

that this evil Procurator would, on the slightest pretext, butcher hundreds of men. Nevertheless, you wish us to believe that the Jewish leaders, at the head of a mob, would dare, in spite of the Roman legions at Pilate's disposal, to oppose Pilate's express will.¹⁷⁶ Remember that Pilate had openly declared that the Nazarene was innocent. A. Mine is a true statement of facts, sir.

Q. But, St. Peter, aside from all this, the picture you portray to us represents both Pilate and the Jewish jurists as stupid and impractical, without any knowledge whatsoever of even the simplest legal procedure. When you testified that the Roman Procurator had asked the Jewish leaders, "Why, what evil hath he done?" was he not asking, as any magistrate would, what charges they wished to prefer against him? A. Of course.

Q. But did you not testify before (verse 2, *supra*) that the prisoner had admitted that he claimed to be the king of the Jews, that is, that he was guilty of treason? Did you not also testify (verses 3, 4, *supra*) that the Jewish leaders had already accused the prisoner of many things (whatever that may mean)? Why, then, did he ask, "what evil hath he done?" A. I don't know, sir.

Q. Were the Jewish leaders, members of the highest court in the land, so naive and so stupid that instead of restating the charges, according to Pilate's request, they simply cried out like rowdies, together with the rest of the mob, "Crucify him"? Tell me, St. Peter, does that sound like an intelligent description of a procedure in a Roman court? A. I merely recorded in accordance with my divine inspiration, sir.

Q. Will you please tell us why, in your opinion, Pilate did not insist on obtaining an answer from the Jewish leaders to his question? A. I can't answer that.

Q. You testified that this all-powerful and merciless Roman Procurator became suddenly helpless before the Jewish mob and wished to appease them. To satisfy them he took an innocent man, scourged him, and then sentenced him to the most horrible death—crucifixion. Isn't that true? A. Precisely, sir.

Q. But a few minutes ago, according to your testimony,

Pilate had mercy in his heart, he was a kind and just judge, and he wished to save Jesus from the hands of the Jewish leaders. If it were the Jewish judges, and not Pilate, who found Jesus guilty, why did Pilate condemn this man whom he considered innocent to this most dreadful punishment? Couldn't this merciful Roman order the Jewish judges to execute Jesus in accordance with the requirements of their own law, which would have been a much more humane method of capital punishment than crucifixion? A. I am unable to answer this question, sir.

Q. Now, St. Peter, before Pilate delivered Jesus to be crucified, did he in any way attempt to express his innocence by any visible act? A. I don't know what you are referring to, sir.

Q. Did Pilate, for instance, take water and wash his hands in the presence of the multitude to show them that he was not to be blamed for the shedding of innocent blood? A. Not to my knowledge, sir.

Q. Did he at any time say to the multitude, "I am innocent of the blood of this just person: see ye to it"? A. I know of no such statement.

Q. Did the Jewish leaders, together with the rest of the mob in front of the judgement hall, at any time say to Pilate, "His blood be on us, and on our children"? A. No, sir.

Q. But you have heard St. Matthew testify in this Court¹⁷⁷ to all these things. Would you say, then, that he was telling an untruth? A. No, sir, I wouldn't say that.

Q. St. Matthew testified that the high priests put the entire blame of Jesus' death upon Judas Iscariot,¹⁷⁸ and then Pilate put the entire blame on the Jews,¹⁷⁷ and that the Jews actually took such guilt upon themselves and upon their children. Did these traditions ever reach your ears, St. Peter? A. No, sir. Had I heard of them, I would have incorporated them in my record.

Q. To your knowledge, St. Peter, did Pilate at any time during these alleged proceedings render a formal decision of innocence, "I find no fault in this man"?¹⁷⁹ A. Not to my knowledge, sir.

Q. Did Pilate at any time during these alleged proceedings send the Nazarene to the Tetrarch Herod Antipas who happened to be in Jerusalem at that time? A. No, sir, he did not.¹⁸⁰

Q. Did Pilate, at any time during these proceedings recorded by you, scourge Jesus?¹⁸¹ A. Not until this point of the trial.

Q. Did the Roman soldiers, during the alleged proceedings before Pilate, mock Jesus, putting on his head a crown of thorns, dressing him in a purple robe, and did Pilate bring him forth thus dressed to the Jewish multitude outside the judgment hall and say to them, "Behold the man!"¹⁸² A. My divine inspiration made no mention of such insults heaped upon our lord either by Pilate or by the Roman soldiers during the trial.

Q. To the best of your knowledge and information, did the Roman Procurator, about the sixth hour of the day, present Jesus to the Jewish mob, saying, "Behold your king!"¹⁸³ A. No, sir. I have never heard of that. At the sixth hour our lord had already been on the cross for three hours.¹⁸⁴

Q. To whom did Pilate deliver Jesus to be crucified (XV : 15)? A. To the Roman soldiers, the executioners.

Q. Are you certain that he was not delivered by Pilate to the chief priests and to the Jewish mob? A. I am certain of that, sir.¹⁸⁵

Q. You testified (XV : 16) that "the Roman soldiers took Jesus and led him into the hall, called Praetorium."¹⁸⁶ Where, then, was the trial of Jesus conducted by Pilate, if not in the Praetorium?¹⁸⁷ A. I don't know, sir.

Q. And according to your testimony (*l. c.*), the executioners called together the whole Roman cohort, which consisted of no less than several hundreds.¹⁸⁸ Did those Roman executioners wish to have their comrades participate in the great sport? Or, did they wish to have a larger audience to aggravate the insult of both the Jews and their king? A. My divine inspiration failed to disclose this, sir.

Q. What was the color of the robe with which the Roman soldiers clothed Jesus when they wanted to make sport of him? A. Purple, sir. (XV : 17).¹⁸⁹

Q. Where did they get the purple robe and the thorns out of which they platted a crown for Jesus (XV : 17)? Did they bring them there in anticipation that they would have some prisoner at whose expense they could amuse themselves? Were these cruel Roman executioners, too, endowed with the gift of prophecy for the occasion?¹⁹⁰ A. I can't answer this question, sir.

Q. Did the Roman soldiers put anything in the hand of Jesus during their mockery of him? A. Not to my knowledge, sir.

Q. But you have heard your colleague St. Matthew testify¹⁹¹ that they put a reed in his right hand as a mock sceptre? A. I know nothing of such an action.

Q. You stated (XV : 18) that the soldiers, in mocking the Nazarene said, "Hail, king of the Jews." They ridiculed him as king of the Jews? A. Yes, sir.

Q. According to your testimony, then, Pilate had convicted the Nazarene of the political charge of treason? A. Yes, sir.

Q. You testified (XV : 19) that the Roman soldiers in their mockery of Jesus smote him with a reed. Can you explain to the Court and the ladies and gentlemen of the jury why the Roman soldiers had selected a reed with which to strike Jesus, and where they obtained the reed from? Did they find a reed outside the Praetorium for that purpose, or had they brought it with them before Pilate commenced the proceedings?¹⁹² A. I am unable to add to what is contained in my record.

Q. According to the testimony of your colleague,¹⁹³ they took "the reed," which meant the reed they had put in his right hand. That is not the reed to which you refer? A. No, sir.

Q. You averred (XV : 19) that the Roman soldiers bowing their knees, worshipped him. Do you mean that they paid the Nazarene divine homage, the reverence and respect due a deity?¹⁹⁴ A. Yes, sir.

Q. Can you tell the Court and the jury how these Roman pagans learned that the convicted "king" had claimed divine powers for himself? A. I can't say, sir.

Q. Wasn't it a rather remarkable experience for a Roman

pagan to see before him an idol in the form of a living being, instead of the mythological concept of a deity? A. Certainly.

Q. Do you know why your colleague St. Matthew failed to state in his testimony¹⁹⁵ that the Roman soldiers, in their mockery, paid the Nazarene divine homage? A. I cannot understand that, sir.

Q. You testified (XV : 21) that Simon, a Cyrenian, "came from the country." Is the implication that this Simon came directly from work in the field? A. Yes, sir.

Q. Did you not testify before that the crucifixion took place on the first day of Passover (XIV : 12 ff.)? A. I did.

Q. How, then, would a Jew, living in a Jewish theocratic commonwealth, dare to violate the Law of God by working in the field on a Festival? Isn't that strictly forbidden by the Law of Moses?¹⁹⁶ A. I cannot account for that, sir.

Q. And you testified (XV : 21) that the Roman executioners compelled this Simon to carry the cross of Jesus. Is it not a fact, St. Peter, that Jesus had carried his own cross?¹⁹⁷ A. Not according to my divine inspiration, sir.

Q. According to your testimony (XV : 23), Jesus was given wine mingled with myrrh. Is that correct? A. Certainly.

Q. However, you have heard St. Matthew testify in this Court that "they gave him vinegar to drink mingled with gall."¹⁹⁸ Please tell the Court and the ladies and gentlemen of the jury, what did they actually give to Jesus, wine mingled with myrrh, or vinegar mingled with gall? A. Wine mingled with myrrh. I am sure of it.

Q. You testified (XV : 23) that "he received it not." According to your testimony, then, Jesus refused to drink it on general principles. Did he taste that mixture at all? A. Of course not. He refused to accept it in the first instance.

Q. St. Matthew, however, testified:¹⁹⁸ "And when he had tasted thereof, he would not drink." According to his testimony, then, the lord did taste it, because he apparently was not aware of its contents. When he disliked its taste, he would not drink it.¹⁹⁹ Do you still insist that yours is the true version? A. Decidedly, sir.

Q. Who were the "they" that crucified him mentioned

in your testimony (XV : 24)? A. They were the Roman soldiers, of course.²⁰⁰

Q. You stated (XV : 25): "And it was the third hour, when they crucified him." According to your testimony, then, it was nine o'clock in the forenoon when they nailed Jesus to the cross. Is that correct? A. Yes, sir.

Q. You testified (verse 1, *ante*) that the second consultation of the Jewish jurists, consisting of all members of the Great Sanhedrin, took place in the morning, which naturally could not have been before six o'clock. Is that right? A. Yes, it is.

Q. And after this consultation, the Jewish dignitaries led the Nazarene to the palace of the Roman Procurator, where quite a lengthy trial is supposed to have taken place (verses 2-15, *supra*); then Jesus was scourged, and led by the Roman soldiers into the Praetorium; he was then dressed in a purple garment and was mocked by the Romans; he was then led out of the city to a place called Golgotha, which was outside the city limits, to be crucified (XV : 22). This is exactly as you testified, isn't it? A. Yes, sir, it certainly is.

Q. Do you wish to tell the Court and the jury, St. Peter, that all this: the second consultation of the Jewish jurists, the march to the Procurator's judgment hall, the trial conducted by the Procurator, the scourging, the mocking of the Roman soldiers, the march to Golgotha—all this took only three hours? And when, pray, did the Jewish dignitaries arrive with their prisoner at the palace of the Roman Procurator to demand that he hold court and try the alleged culprit, long before the third hour of the day? Did they dare pull him out of bed?²⁰¹ A. I recorded the tradition faithfully, sir.

Q. Will you please state what the superscription over the head of the Nazarene contained? A. It read, as I have stated (XV : 26): "THE KING OF THE JEWS."

Q. Are you certain that there were no other words than these? A. I am certain of that.

Q. To be sure, St. Peter, that short superscription written over the head of the Nazarene was legible. It contained only a few simple words and there should have been no mistake

possible in recording it. Nevertheless, St. Matthew testified in this Court that the words were:²⁰² "This is Jesus the king of the Jews." Can you be sure which of the two versions is accurate, St. Peter? A. My recording is divinely inspired, sir.²⁰³

Q. I see. Now according to this superscription, Pilate executed the Nazarene because he found him guilty of the charge of treason, a political offense against the Roman Emperor, in that he claimed to be the king of the Jews. But before this you testified (verse 14, *supra*) that Pilate's verdict was that the prisoner was innocent of any crime, and that he merely yielded to the clamor of the people in sentencing him (verse 15, *supra*). Isn't this a very serious discrepancy in your testimony? A. I repeat that I recorded a tradition which was divinely inspired.

Q. According to your testimony (XV : 27), the Romans very freely handed out the punishment of crucifixion. Even ordinary thieves were liable to such severe punishment?²⁰⁴ A. That is correct, sir.

Q. You testified (XV : 29) that the people taunted the Nazarene with his boast about destroying and rebuilding the Temple. Now, according to your previous testimony, your lord, during his short career, had performed many miracles and had actually showed the people that he possessed supernatural powers. Why didn't the people in their taunts make mention of those actual facts instead of a mere reported boast?

Mr. Christiani: Your Honor, I object to this question on the ground that it is incompetent, irrelevant, and immaterial. The question is purely speculative, Your Honor, and I therefore move that it be disallowed.

Mr. Ben Yehudah: Your Honor, in this particular case, we are cross-examining a witness who in reality and legally is no witness at all, because he himself has admitted on several occasions that he was not an eyewitness, and that most of his present testimony was based upon tradition and hearsay. Consequently, we are not questioning the veracity of this witness St. Peter by our cross-examination. We simply wish to ascertain whether or not the traditions which reached the ears of the witness, bear the earmarks of truth. When, therefore, I ask

the witness whether a certain incident or quotation is logical, or when I discover obvious discrepancies in these very traditions, it is my object to prove that those traditions which the witness saw fit to incorporate in his historic document for posterity, were mere legends, myths based on mere gossip. This is what I am attempting to establish now.

The Court: I will allow this question to remain in the record and order the witness to answer the question, as it is the Court's opinion that the objection raised by the Prosecution is not well taken. Please proceed with the case.

(Cross-examination resumed by Mr. Ben Yehudah:) Q. St. Peter, will you please tell us why the taunters chose to mention reported boasts instead of actual facts? A. I am unable to answer this question.

Q. Who were those taunters who happened to know something about the accusation made against Jesus before the Great Sanhedrin? Were they Jews? A. Naturally, otherwise how would they know what had occurred during the trial?

Q. And how did it happen that Jews, on the first day of the important Festival of Passover, came to pass by that gruesome spot? A. I cannot explain that, sir.

Q. You testified (XV : 31) that even the chief priests and the scribes, the highest dignitaries at Jerusalem, remained at Golgotha on the first day of Passover and taunted Jesus among themselves. Would you have the Court and the jury believe that aristocrats together with Supreme Court judges mingled with the mob for the mere purpose of taunting the victim on the cross? A. Yes, sir.²⁰⁵

Q. But if these dignitaries only spoke those taunts among themselves, who was able, then, to copy and record the exact words they used in their taunts? A. I don't know, except, as I have said, my narrative was accomplished by divine inspiration, sir.

Q. According to your divine information, the chief priests and the scribes, the most learned men in the land, knew that the Nazarene had saved others during his career (XV : 31), and they made mention of it in their taunts. Why, then, did the masses, who were the actual beneficiaries of his miracles,

fail to mention them (verse 29, *supra*)? A. I am unable to account for that, sir.

Q. To your knowledge, St. Peter, did the Jewish dignitaries, in their taunts, say, as was reported by St. Matthew:²⁰⁶ "He trusted in God: let Him deliver him now, if He will have him: for he said, I am the Son of God"? A. No, sir.

Q. Are you certain that both thieves that were crucified with Jesus reviled him (XV : 32)? Is it not a fact that one thief repented?²⁰⁷ A. Not to my knowledge, sir.

Q. You testified (XV : 33): "And when the sixth hour was come, there was darkness over the whole land until the ninth hour." Do you mean to convey by this that there was darkness all over the land for full three hours from noon until three in the afternoon? A. Yes, sir.

Q. You stated before (verse 25, *supra*) that Jesus was crucified at nine in the forenoon. Can you explain to the Court and the ladies and gentlemen of the jury why the curse of darkness was delayed until midday? Why did the Almighty in His wisdom, permit His son to hang in agony and humiliation on the cross for a full three-hour period without causing any supernatural manifestations?

Mr. Christiani: Your Honor, I strenuously object to this kind of question, as being incompetent, irrelevant, and immaterial. It is not for the witness to explain the wisdom of Providence. To put a question of this nature in an open Court is pure heresy. I move that the question be disallowed and stricken from the record.

The Court: Objection overruled. Proceed with the case.

(By Mr. Ben Yehudah, resuming cross-examination of St. Peter:) Q. Are you willing or able to answer my question? A. No, sir.

Q. What in your opinion was the reason for the darkness that prevailed during those three hours? A. The Almighty in His wisdom saw fit to perform miracles for His son during his lifetime and also while he was nailed to the cross. The darkness was a sort of protest against the unjust crucifixion.²⁰⁸

Q. St. Peter, do you mean to tell the Court and the jury that the merciful Father had at first preordained the crucifixion,

and then protested against His own preordination? A. This is a highly theological question, sir.

Q. It certainly is, St. Peter. Now, you testified (XV : 33): "There was darkness over the whole land until the ninth hour." Consequently, the people throughout the land sat in actual darkness for full three hours, from noon to three o'clock in the afternoon. Was not such a supernatural occurrence sufficient to compel the people, no matter how ignorant or how learned they might have been, to make an investigation at least to ascertain the actual cause of the untimely darkness? Or do you wish to convey the thought that the Jews as well as the Romans were so blind that they did not even notice the darkness? A. I have no answer for that, sir.

Q. You testified (XV : 34) that the Nazarene cried with a loud voice while on the cross, "Eloi, eloi, lama sabachthani?" However, St. Matthew testified²⁰⁹ that the Nazarene had cried out with a loud voice, "Eli, eli, lama sabachthani?" Do you insist that yours is the authentic record? A. I faithfully recorded the tradition submitted to me, sir.²¹⁰

Q. You testified before (XIV : 36) that the Nazarene at Gethsemane had prayed to his Father to remove this cup from him. Now, when actually nailed to the cross, he complained of his Father's desertion.²¹¹ Would it follow, then, from your recording, that your lord, after all, did not gracefully accept his predestined fate as a heroic martyr to the very last? A. It would seem so.

Q. But you testified before on several occasions²¹² that your lord accepted his fate, and he even cheerfully went to meet it. Are you consistent, St. Peter? A. I added or subtracted nothing from the traditions I received.

Q. You averred (XV : 35) that some men who stood by, said, "He calleth Elias." Do you know who those men were, Jews or Romans? A. No, sir.

Q. Would you conclude that they were Jews from the fact that they knew something about Elias, because Romans were not likely to know anything about the prophet? A. I should assume so.

Q. But you will also agree with me that Jews were not

likely to confuse the two terms "eloi" (my God) and "Eli-yahu" (Elijah), won't you? A. Yes, sir.

Q. So, who were they, then, that mistook "eloi" for "Elijah"? A. I can't say.

Q. Can you tell the Court and the jury, please, who the man was that ran and filled a sponge with vinegar, and put it on a reed and gave it to your lord to drink (XV : 36)? Was he a Jew or a Roman? A. I really cannot tell, sir.

Q. Would you conclude with me, from your testimony, that the man was a Jew, because a Roman wouldn't know anything about the prophet Elijah? A. That is logical, sir.

Q. Do you mean to tell us, then, that the Roman soldiers permitted a Jew to interfere with their procedure? A. They apparently did.

Q. Who said, "let us see whether Elias will come to take him down"? A. The man who gave him the vinegar to drink (XV : 36).

Q. But you have heard St. Matthew testify in this Court²¹³ that not he who gave Jesus the vinegar, but "the rest said, Let be, let us see whether Elias will come down to save him"? A. I cannot explain that, sir.

Q. Do you know whether Jesus actually drank or tasted the vinegar? A. No, sir.

Q. Is it not a fact, St. Peter, that your lord drank of the vinegar and said, "it is finished"? A. Not according to my information, sir.²¹⁴

Q. You testified (XV : 37) that Jesus cried with a loud voice, and gave up his ghost. Is it not a fact that your lord, immediately before he gave up his ghost, said: "Father, into thy hands I commend my spirit"?²¹⁵ A. I was not thus informed by my divine inspiration, sir.

Q. You averred (XV : 38) that after your lord had given up his ghost, "the veil of the temple was rent in twain from the top to the bottom." Did any other portent occur at this time? A. Not to my knowledge, sir.

Q. But your colleague St. Matthew testified²¹⁶ that several other portents occurred at this time; he said that there was an earthquake, and the rocks did rent; the graves were opened,

and many bodies of the saints which slept arose, and came out of their graves after his resurrection, and went into the holy city, and appeared unto many. For what reason, St. Peter, did you see fit to omit those portents mentioned by St. Matthew? Were they insignificant in your opinion and not worth mentioning? Would not the mention of such miracles tend to enhance the greatness of your master? A. All I can say is that I recorded whatever reached my ears. Perhaps my colleague received a different tradition.²¹⁷

Q. But both of you are supposed to state nothing but the Gospel truth. How could you have received contradictory traditions?

Mr. Christiani: Your Honor, the last question put to my witness is absolutely irrelevant. My learned opponent is fully aware that the witness is not in a position to explain why the divinely inspired records appear inconsistent, just as we are unable to explain many other acts of Providence which are seemingly paradoxical. The object of his asking such a question can be only to discredit the Gospels in the eyes of the ladies and gentlemen of the jury. I therefore move that this question be disallowed and stricken from the record.

Mr. Ben Yehudah: Your Honor, I can simply reiterate what I have already stated on a previous occasion. My object is not to prove that the Gospels are not divinely inspired. My sole aim is to prove that the traditions received by the witnesses for the Prosecution and incorporated in their documents which bear testimony against my clients that they are guilty of shedding innocent blood, the blood of the Nazarene, are inconsistent, contradictory, and unreliable. If indirectly my cross-examination, as claimed by my learned opponent, throws doubt upon the veracity of the Gospels, I am sorry for it.

The Court: The Court regrets that such unavoidable controversies between Counsel must arise in the course of this trial. From a legal standpoint, however, Counsel for the Defense has a right to submit questions to the witness on cross-examining him which tend to prove that certain traditions are not well founded. What is more, he is in law duty-bound to do so to the best of his ability. He owes a duty to the clients

he defends to make use of every opportunity which presents itself during the course of the trial which may tend to discredit the testimony of the witnesses for the Prosecution. I am therefore bound, by the established rules of evidence, to overrule the objection raised by the Attorney for the Prosecution, and instruct the witness to answer the question to the best of his ability.

(Cross-examination resumed by Mr. Ben Yehudah): Q. How can records based on Gospel truths, contain contradictory traditions, St. Peter? A. All I can say is that mine is the Gospel truth.

Q. Could you, St. Peter, as the first and most important disciple of Jesus, explain to us: If God in His infinite wisdom saw fit to work miracles for the sake of His son Jesus, during his lifetime as well as after his crucifixion, in order to prove to the world that he was His chosen one, why did He not make it more manifest to the whole world, and make it so convincing that every human being, Jew and Gentile alike, would actually have no alternative but to believe in His only begotten son? The Almighty, according to St. Matthew, did make an excellent attempt in that direction. He caused the veil of the Temple to be rent in twain from top to bottom; He caused an earthquake, and the rocks rent; He made the dead rise from their graves and appear to many in the Holy City,²¹⁶ and he made angels descend from heaven. Yet, in spite of these miracles, the unbelievers were still not convinced that Jesus was the Son of God. Would you justify this failure by the fact that the Almighty did not plan His work properly, in that He brought the supernatural occurrences to the attention of only a few chosen women, and a few ignorant men of humble occupation, instead of making it manifest to the whole world? A. I really prefer . . .

Mr. Christiani (interrupting the witness): Please don't make any attempt to answer this question, St. Peter. I move that the Court disallow such questions, and that the question be stricken from the record, on the ground that it is incompetent, irrelevant, and immaterial. My learned opponent is calling for expert opinion. He wishes the witness to explain why God in

His wisdom saw fit to act in one way and not in another. Furthermore, the question is purely heretical.

Mr. Ben Yehudah: Your Honor, it was my impression that a witness, such as St. Peter, who was entrusted with the keys to the kingdom of Heaven and who was destined to be the rock upon whom the Church to everlasting eternity would be built²¹⁸ would be officially considered an expert concerning the doings of the Almighty, especially when it relates to his own testimony—surely a Church cannot be built on a rock of ignorance. I therefore believed that I was justified in putting to him a question of this nature.

As to the heresy charge, Your Honor, in the first place, we cannot establish a premise on a mere statement of fact which is illogical on the face of it and which is subject to controversy, and then brand as a heretic anyone who dares disprove the alleged fact on which the premise is based. A premise, in order to be accepted as such must be based either on logical deductions or on uncontrovertible statements of fact.

Secondly, in this particular instance, Your Honor, it was not I who concocted the heresy. It was St. Matthew, the first witness for the Prosecution, who told a story to the effect that the Almighty, in His wisdom, made an endeavor to convince the world that Jesus was His chosen one, his only begotten son, so that humanity might worship him. He failed, however, in His attempt, as you ladies and gentlemen of the jury can see, for more than half of the population of the world still remain unconvinced, in spite of the fact that the Prosecution has tried to help the Almighty along in every way, even with fire and sword. My question, therefore, is in my opinion entirely in order.

The Court: I will allow this question. The witness, however, need not answer the question unless he so chooses.

Mr. Ben Yehudah (resuming cross-examination): Q. Do you wish to answer this question? A. I prefer not to answer such questions here.

Q. You testified (XV : 39): "When the centurion, who stood over against him, saw that he so cried out, and gave up his ghost, he said, Truly this man was the Son of God." Are

you certain that this Roman pagan acknowledged Jesus as "the Son of God?" A. Of course I am.

Q. Was the centurion's conviction, that the crucified victim was the Son of God, based solely upon the fact that he so cried out and gave up his ghost? A. Yes, sir.

Q. Can you tell the Court and the jury what mysterious quality in this loud outcry of agony induced the heathen, this heartless executioner who but a few minutes before had found delight in maltreating and ridiculing the victim, to admit now that the Nazarene was the Son of God? A. Perhaps the portents convinced him.

Q. But the only portent you recorded was the rending of the veil in the Temple, which the centurion could still have known nothing about. Your colleague St. Matthew at least gave this pagan an earthquake, and the rending of the rocks, and the opening of the graves, and saints creeping out from them and marching in the direction of the Holy City. You gave him absolutely nothing with which to be convinced. What, then, caused him to make this declaration?²¹⁹ A. It was an act of Providence, sir.

Q. Did only the centurion arrive at this conclusion, and not any of the other soldiers that were with him? A. Only the centurion, according to my recording.

Q. But in this regard, too, St. Matthew differs with you. He testified²²⁰ that not only the centurion but also "they that were with him" arrived at the same conclusion. All the executioners feared greatly when they saw the earthquake, and they said, "Truly this was the Son of God." Why, then, did you see fit not to mention the other Roman soldiers as St. Matthew did? Wouldn't that tend to enhance the glory of your master Jesus? A. The tradition that reached my ears made mention only of the centurion.

Q. You testified (XV : 40) that there were certain women "looking on afar off." These obviously were the only eyewitnesses upon whom the Prosecution based its entire structure of the narration of the crucifixion. Is this correct? A. Certainly.

Q. If those women stood afar off, how were they able to

hear the exact words uttered by Jesus on the cross and then report it for posterity?²²¹ A. I really can't say.

Q. Who was that Mary Magdalene you spoke about in your testimony (XV : 40)? Have you ever mentioned her before in your document? A. No, sir.

Q. But you speak of her as of a person who needs no introduction, in a sort of matter-of-fact way, as though she had been mentioned by you many times before. How can you account for that? A. This is exactly how I received this tradition, sir.²²²

Q. St. Peter, can you tell us who that Salome was (XV : 40)? A. My tradition failed to disclose that to me.²²³

Q. According to your testimony (XV : 41), women from the province of Galilee were the Nazarene's most faithful followers. They remained on the scene with their master to the very end, even when he was executed. They proved to be more faithful than the eleven saints who fled and failed to return, leaving their lord to his fate. Is this correct? A. Yes, sir.

Q. Now, St. Peter, you are a Galilean and you are quite familiar with the people of Galilee. Isn't it a fact that the people of that province, especially the women, were uneducated and illiterate? A. That is correct, sir.²²⁴

Q. And these illiterate women of Galilee proved to be the most faithful followers of Jesus Christ? A. It would appear that way.

Q. On his way to Golgotha, was Jesus followed by a great number of men and women who came out of Jerusalem to lament his death?²²⁵ A. Not according to my tradition, sir.

Q. To your knowledge, St. Peter, did the Jews request Pilate that the legs of those that were crucified be broken to accelerate their death?²²⁶ A. Not according to my divine inspiration.

Q. Is it not a fact, St. Peter, that a soldier pierced the side of the Nazarene with a spear, and blood and water spurted forth?²²⁶ A. Had such a miracle reached my ears, I would not have omitted it from my records, sir.

Q. What did you wish to convey by describing Joseph

of Arimathaea (XV : 43) as "an honorable counsellor?" A. I meant to say that he was a member of the Great Sanhedrin, the highest court in the land. He was a great jurist.²²⁷

Q. You also described this Joseph as one "which also waited for the kingdom of God." Did you mean to say by this that he was one of Jesus' sympathizers? A. Yes, sir.²²⁸

Q. But you have heard St. Matthew testify in this Court²²⁹ that Joseph of Arimathaea was one of Jesus' disciples. Do you still maintain that your description of Joseph is the correct one? A. To the best of my knowledge he was a sympathizer and not a disciple.

Q. You testified (XV : 43) that Joseph went in boldly unto Pilate and craved for the body of Jesus. Why boldly? Might it have proved a perilous request?²³⁰ Could Joseph have incriminated himself by asking for the body of one convicted of treason? A. I presume so.

Q. But you testified (XV : 11) that the Jewish dignitaries were not afraid to urge the people, in the presence of Pilate, to ask for the release of Barabbas who was guilty of insurrection and murder. How can you reconcile these two statements? A. Divine inspirations, sir, cannot be measured by mortal standards of logic.

Q. Now, St. Peter, let us get the facts straight. You testified (XV : 42-43) that because it was Friday, Joseph of Arimathaea desired to remove the body of Jesus from the cross before the Sabbath, which started at sunset, at six o'clock in the afternoon, and he asked Pilate for the body in the even.

You also testified (XV : 34) that at three o'clock in the afternoon of that day, Jesus made his first outcry from the cross, "Eloi, eloi, lama," etc. Thereafter somebody ran and filled a sponge with vinegar and gave it to Jesus to drink (XV : 36), and after that Jesus cried out with a loud voice and gave up his ghost, and all this took place after three o'clock in the afternoon. Then it must have taken some time for Joseph of Arimathaea to learn that the victim was dead, because it was some distance from his house to Golgotha, the place of the crucifixion; after that he walked to the palace occupied by Pilate; then came the centurion's report (of course, there is

nothing to indicate whether the centurion was at that time still in Golgotha, and Pilate had sent a messenger to him there, or whether he had already returned from there);²³¹ then Joseph went to procure linen for the body of Jesus, and walked back with the linen to Golgotha; then he took the body down from the cross, wrapped it in the linen, and laid the shrouded corpse in his sepulchre (XV : 43-46). Do you mean to tell the Court and the jury that all this was accomplished in less than three hours, before six o'clock, before sunset, when the Sabbath among the Jews actually began?²³² A. This was the way my tradition had it, sir.

Q. Tell us, St. Peter, is it your intention to say that Joseph, a member of the Great Sanhedrin, openly transgressed the Law of God and profaned the Festival of the Passover by buying linen? Where did he buy it? Surely you know that no shops were open in Jerusalem on the first day of Passover.²³³ A. I cannot explain that, sir.

Q. Certainly Joseph of Arimathaea, an honorable counselor, should have known also that it was forbidden by the Jewish law to prepare and bury the dead on the first day of a Festival, Passover included. How, then, is it possible, that he went to Golgotha, took down the body, wrapped it in linen, and buried it on the first day of Passover, and even rolled a ("great" Matthew) stone unto the door of the sepulchre?²³⁴ A. But he did, sir.

Q. How do you know? You did not see him do it, did you? A. No, sir. But divine inspirations are more reliable than the faulty vision of the human eye.

Q. I see. Now, you testified (XV : 44-45) that in a conversation between Joseph of Arimathaea and Pontius Pilate, the latter marvelled whether Jesus was already dead, and he had the centurion certify the fact. Is that correct? A. Yes sir, it is.²³⁵

Q. Was Joseph able to remove the body from the cross all by himself? Was there no one else with him to attend to the body of Jesus and lay it to rest? A. To my knowledge, Joseph was alone.

Q. Wasn't there a certain Nicodemus who helped Joseph

remove the body of Jesus from the cross, and who had brought with him a hundred pounds of a mixture of myrrh and aloes to be put in Jesus' shrouds? A. Not according to my tradition, sir.²³⁶

Q. To your knowledge, St. Peter, did the Pharisees appear before Pilate the day after the burial, that is on the Sabbath, and ask him for permission to secure and guard the sepulchre so that nobody might steal the body and later claim that Jesus had risen from the dead? A. I know nothing of this, sir.²³⁷

Q. You testified (XVI : 1) that three women, two Marys and Salome, came to visit the sepulchre of Jesus on Sunday, bringing spices with them to anoint him. Was it customary among the Jews at that time to anoint a corpse after burial? A. I do not recall.²³⁸

Q. You and your colleague St. Matthew differ in several details regarding this story, which seemingly is a very simple one. You testified that there were three women; St. Matthew testified²³⁹ that there were only two women, Mary Magdalene and the other Mary, and he makes no mention of Salome's presence. You averred that they brought spices with them to anoint the body of Jesus, and St. Matthew makes no mention of such a fact. He testified that they came merely "to see the sepulchre."²⁴⁰ Do you maintain that your version is the correct one? A. Precisely, sir.

Q. How did those women happen to know where the Christ had been buried? A. I presume that they must have remained there after the crucifixion and watched the actions of Joseph.²⁴¹

Q. Then they must have seen Joseph and Nicodemus use spices freely in the process of burying Jesus. What was their object in bringing more spices? A. I don't know what you are referring to, sir.²⁴²

Q. You stated (XVI : 2): "And very early in the morning the first day of the week, they came unto the sepulchre at the rising of the sun." "Very early in the morning" would signify that it was before daybreak, and "at the rising of the sun" is about one hour thereafter. Can you explain to the

Court and the ladies and the gentlemen of the jury, when those three women had arrived at the sepulchre: was it at day-break or at the rising of the sun?²⁴³ A. I presume that it must have been at the rising of the sun.

Q. You will admit that witnesses should agree as to the time when a certain thing happened. Now, St. Matthew testified²⁴⁴ that the two Marys came to the sepulchre "as it began to dawn." How can we tell, then, when the women came there to see the sepulchre, at the rising of the sun or at dawn? A. My tradition expressly stated that it took place at the rising of the sun.

Q. Who was the young man you referred to in your testimony (XVI : 5)? Was he an angel? A. Apparently he was.

Q. Your colleague, too, mentioned an angel in his testimony,²⁴⁵ but he said that the angel was sitting outside the grave on the stone which he had rolled away. You claim that your angel was inside the sepulchre. Now, where was the angel, inside the sepulchre or outside? A. Inside.

Q. Are you certain that there were not two angels near the sepulchre? A. I am sure there was only one, sir.²⁴⁶

Q. According to your testimony, only the three women who entered the sepulchre saw the angel. But you have heard your colleague testify²⁴⁷ that some of the Roman keepers, too, saw the angel, and that they so shook with fear that they became as dead men. Do you know anything at all about those keepers? A. No, sir.

Q. You testified (XVI : 8) that those three women were so overcome with fright because of the apparition, that they kept the secret to themselves and did not disclose it to any man; that is, they disobeyed the order of the angel who had ordered them to go and tell the disciples and especially you, St. Peter, that Jesus would see them in Galilee. Is that correct? A. Yes, sir.

Q. But you have heard St. Matthew testify²⁴⁸ that the women "did run to bring his disciples word." You as well as St. Matthew were among the disciples referred to by him. Then you surely ought to know whether those women brought you the message. This is no longer a question as to whose tradi-

tion is the correct one, because it concerns you personally. Were you or were you not told by the women to meet Jesus in Galilee? A. We received no such message from the women.

Q. Isn't it a fact, St. Peter, that those women did tell you what they had seen, and that you yourself went to examine the sepulchre and entered it?²⁴⁹ A. No, sir, it is not a fact. At no time did I go to the sepulchre.

Q. You testified (XVI : 9) that on the first day of his resurrection, the Nazarene appeared first to Mary Magdalene, out of whom he had cast seven devils. This woman was mentioned by you in connection with this very incident three times before (XV : 40, 47; XVI : 1). What need was there on your part to identify her now when you mentioned her for the fourth time? A. It was perhaps unnecessary.²⁵⁰

Q. You testified before (XVI : 5-7) that an angel told the three women to announce the resurrection to the disciples. But they were frightened and mentioned the incident to no one. You stated that they fled from the sepulchre. All this occurred early Sunday morning (XVI : 2). But now you tell us that Jesus appeared early that morning to Mary Magdalene alone and, without having received any instruction, she of her own accord went and told them that had been with him. Is that consistent? A. Yes, it seems peculiar, but that is the way it happened.²⁵⁰

Q. Can you tell the Court and the jury when and where the lord appeared to Mary that morning? Was it in her private chamber, or was it on her way home after she had disobeyed the mandate of the angel? A. I am unable to state where and when, sir.²⁵¹

Q. Now, according to your testimony (XVI : 9), Jesus said nothing to Mary Magdalene, and she said nothing to him. Is that right? A. That is right, sir.

Q. What made her surmise that the apparition she saw was her lord Jesus? It could not have been his voice,²⁵² because he said nothing. Was it his general appearance? A. I don't know.

Q. Can you explain why Mary Magdalene remained so indifferent and so unconcerned when she saw her dead master

that she did not evince any surprise and did not utter a single syllable to him? Is this in conformity with human experience, St. Peter? A. I am unable to explain such a sacred meeting, sir.

Q. Is it not a fact, St. Peter, that she said "Rabboni" to him, and he in return told her "Touch me not," etc.?²⁵³ A. Not according to my tradition, sir.

Q. You testified (XVI : 10) that the woman of the seven devils, without having been instructed by Jesus to do so, brought the news to the disciples. But you have heard St. Matthew testify in this Court:²⁵⁴ "And as they (the two Marys) went to tell his disciples, behold Jesus met them, saying, All hail. And they came and held him by his feet, and worshipped him. Then said Jesus unto them, Be not afraid: go tell my brethren that they go into Galilee, and there shall they see me." Does this story agree in any way with your testimony? A. No, sir.

Q. You were among the disciples that mourned and wept for Jesus (XVI : 10), weren't you? A. Yes, sir.

Q. Where were you gathered at the time, and what did Mary tell you? A. We were in Jerusalem, and she told us that Jesus had appeared to her.

Q. Why didn't you believe her statement? Did not he himself tell you on several occasions,²⁵⁵ that he would rise again after three days? Yet now when a trustworthy eyewitness told you that she had seen Jesus after his resurrection, you did not believe her. Did you have no confidence in your lord's prophecies— you, the most trustworthy of all his chosen ones? A. I don't know why we did not believe her.

Q. St. Matthew, however, testified²⁵⁶ that you did believe the two Marys, followed their instructions and went to Galilee? A. Not to my knowledge, sir.

Q. You have heard St. Matthew testify²⁵⁷ that at this point of the narration, the chief priests and the elders bribed the Roman soldiers to say that the disciples of Jesus came and stole the body of their lord while they slept. Why did you omit this important incident, St. Peter? A. Because I never knew of it.

Q. Can you explain what you meant by the expression "he appeared in another form" to two of the disciples (XVI : 12)? A. I presume it meant in disguise.²⁵⁸

Q. How did these disciples know, then, that it was Jesus? They could not have recognized him by his voice, because he said nothing to them. And they could not have recognized him if he was disguised. How did they know that he really was Jesus? A. I cannot tell, sir.

Q. I ask you, St. Peter, was this logical on the part of your master? If he wished to appear to these two disciples in order to convince them of his resurrection, why did he disguise himself so that they should not be able to recognise him? And if he did not want to be recognized, what was the purpose of appearing to them in the first place? Did he just wish to play a childish game?²⁵⁹ A. I cannot explain the deep mysteries of my lord's actions, sir.

Q. Those two disciples undoubtedly were of your group of the chosen Eleven, members of your own circle, weren't they? A. Yes, sir (verses 12, 13).

Q. And yet you did not believe the testimony of the two saintly witnesses that they saw Jesus (XVI : 13)? Weren't they trustworthy? A. I wouldn't say that, sir.

Q. Who were those two disciples? If you intended to tell of this appearance of Jesus to them in order to corroborate Mary's statement of the resurrection, why did you see fit to hide their identity? Does not this tend to throw doubt upon the veracity of your story? A. I cannot account for the omission of their names, sir.

Q. Then you testified (XVI : 14) that the third appearance Jesus made to eleven of you, while you sat at meat. Where were you at the time of this appearance? A. In Jerusalem.

Q. So, St. Peter, you are making a liar of your lord. You stated (XVI : 7) that the angel instructed the three women to tell you, St. Peter, and the rest of the disciples that you would see him in Galilee. A. But this message was never delivered to us (XVI : 8).

Q. That makes no difference. The fact remains that your

master wanted to appear to you in Galilee, for what reason I do not know. This is what the angel expressly told the women to tell you. They failed to deliver the message to you, because they were afraid. But Jesus himself appeared to the woman of the seven devils when she was alone (verse 9, *supra*), and he failed to give her the angel's instructions. Then he appeared to two unnamed disciples (verse 12, *supra*), and he again failed to give them any instructions. Now he appeared again to all the eleven disciples in Jerusalem. He thus appeared three times, and all the three times it was in or around Jerusalem, and not once in Galilee. Did Jesus, according to your version of the incident, abide by his word he sent through one of his angels? And what is more, according to your own testimony,²⁶⁰ Jesus himself had said to his disciples: "But after I am risen, I will go before you in Galilee." But, according to your records, Jesus never kept his word, for he never did put in an appearance in Galilee after the resurrection. How can you account for that? A. I am unable to explain that, sir.

Q. When you testified (XVI : 14) that Jesus appeared to the eleven, then naturally Thomas Didymus must have been with you at the time, was he not? A. Of course, sir, he was one of the eleven.²⁶¹

Q. You have heard St. Matthew testify in this Court²⁶² that all of you, all the eleven disciples, including you, went away into Galilee, into a mountain designated by Jesus. Since you and St. Matthew were supposed to have been present at that meeting, you must necessarily admit that someone is telling an untruth here! Did you or did you not meet the lord in Galilee after the resurrection? A. We did not meet him in Galilee, sir. We were in Jerusalem at his last appearance, when he gave us his final instructions (XVI : 15-18), and immediately thereafter he was received up to heaven (XVI : 19).

Q. Have you recorded faithfully all the appearances Jesus had made after the resurrection? A. Yes, sir.

Q. Is it not a fact, St. Peter, that Jesus had appeared to all of you eight days after, in order to convince the doubting Thomas of the resurrection? A. I don't know what you are referring to, sir.²⁶³

Q. Did not Jesus appear to you and seven other disciples at the sea of Tiberias, when you went a-fishing? And did not Jesus perform some miracles there, and you caught one hundred and fifty fishes? And did not your lord ask you three times whether you loved him, and then instruct you to feed his sheep? And did not Jesus tell you to follow him? A. I really don't know anything about it. Had I known of it, I would have recorded it.²⁶⁴

Q. To the best of your knowledge, St. Peter, did Jesus say to you on this occasion: "All power is given me in heaven and in earth?" A. Not that I know of, sir.

Q. So testimony given by St. Matthew in this Court²⁶⁵ is inaccurate? A. No, I won't say that.

Q. But according to St. Matthew, Jesus was supposed to have made this statement to all of you, to all his disciples who had gathered there in Galilee to meet him. Aren't you certain whether your master after his resurrection ever made such an important statement to you? A. I am sure he did not, or I would have remembered it.

Q. You testified (XVI : 15) that he had appointed you, his chosen eleven, as his Apostles on earth, saying: "Go ye into all the world, and preach the gospel to every creature." Is this correct? A. It is.

Q. So, in spite of the unbelief and hardness of heart with which the Nazarene had accused you (XVI : 14); in spite of the fact that you fell asleep when your master was in great agony (XIV : 37-41); in spite of the fact that you denied him three times, twice by swearing falsely;²⁶⁶ in spite of the fact that you all forsook him and fled in time of grave danger;²⁶⁷ in spite of the fact that you did not believe the report that he had risen—nevertheless, he appointed you as his personal representatives to preach the gospel to every creature? A. He did, sir.

Q. According to your testimony, the last words of your lord were given to you in Jerusalem. Are you positive that they were not given to you by the sea of Tiberias?²⁶⁸ A. Of course I am.

Q. Are you likewise positive that they were not given

anywhere else in Galilee? A. They were given to us in Jerusalem, sir.

Q. According to St. Matthew's testimony,²⁶⁹ however, they were given to you in a mountain somewhere in Galilee.²⁷⁰ So, you disagree even about a matter of such supreme importance, the final mission of the Nazarene after his resurrection, when he gave you, his disciples, his last instructions concerning your sacred duty in life. Isn't that difficult to explain? A. I admit it is.

Q. But you disagree not only about the place where Jesus gave you his final instructions. You disagree even about the very nature of the instructions given you. St. Matthew testified²⁷¹ that the Nazarene told you that "he was given all power in heaven and in earth," and in that capacity he instructed you "to teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost." According to this witness, then, Jesus declared himself to be one of the triumvirate in control of the Universe.

You, St. Peter, however, averred (XVI : 15-18), that the Nazarene told you, his disciples, to teach the gospel to every creature, and to emphasize the theory that "he that believeth and is baptized shall be saved: but he that believeth not, shall be condemned." He told you that in his name you shall be able to perform miracles, cast out devils, and do many other supernatural things. According to your testimony, then, the Nazarene obviously declared himself to be the sole deity, for he said, "in my name they shall be able to cast out devils," etc., not mentioning at all the Father and the Holy Ghost. He seemed to claim sole authority, for only in his name would all these things be done.

Now, St. Peter, isn't this the correct interpretation of your mission and of the powers assumed by Jesus? A. This is a highly complex question, sir. It would require a lengthy answer. I prefer not to enter into such a discussion at this time and in this place.

Q. Do you know how soon after the resurrection the ascension of Jesus took place? A. On the evening after the resurrection.²⁷²

Q. And where did the ascension take place? A. In Jerusalem, sir.

Q. Are you certain that the ascension did not take place in Bethany, some fifteen furlongs away from Jerusalem?²⁷³ A. I am certain of that.

Q. Did you with your own eyes see the ascension, your lord being received into heaven, after he had finished speaking to you (XVI : 19)? A. Certainly.

Q. Did you also with your own eyes see Jesus sit on the right hand of God? A. Not exactly with human eyes, sir, I saw it spiritually, not physically.²⁷⁴

Q. Did all the other disciples witness this miraculous scene, St. Matthew included? A. Yes, sir.²⁷⁵

Q. But when St. Matthew testified in this Court, he failed to mention this most important occurrence, the ascension of your lord into heaven, although he, too, was supposed to have been an eyewitness. Shall we assume, then, that St. Matthew saw only with his human eyes, physically but not spiritually? A. I cannot answer this question, sir.

Mr. Ben Yehudah: That will be all. The witness is yours.

Mr. Christiani: The Prosecution waives re-direct examination for the present, Your Honor.

The Court: Is the Prosecution ready to call another witness?

Mr. Christiani: Yes, Your Honor, the Prosecution is ready.

Direct and Cross-Examination of St. Luke

ST. LUKE (of Antioch, Syria), called as a witness on behalf of the Prosecution, being duly sworn, testified as follows:

Direct examination by Mr. Christiani.

Q. What is your name, please? A. Lucanus (Lucius, Lucilius, or Lucianus);¹ I am commonly known as St. Luke.

Q. What is your occupation? A. I am a physician.¹

Q. I show you this document, bearing the title "The Gospel According to St. Luke," and ask you whether you can identify it as a document written by you. A. (After examining it carefully) Yes, sir, I recognize this document and identify it as an authentic record written by me.

Mr. Christiani: Your Honor, I offer this document known as "The Gospel According to St. Luke," in evidence.

Mr. Ben Yehudah: (After examining the document) I have no objection, Your Honor, to its being introduced in evidence. I concede its authenticity.

The Court: I admit this document into evidence.

("The Gospel According to St. Luke" is received in evidence and marked as "Plaintiffs' Exhibit 3.")

Q. (Direct examination resumed by Mr. Christiani) Now, St. Luke, from what sources did you obtain the information which you have set down in this document marked "Plaintiffs' Exhibit 3"? Were you an eyewitness to all the incidents of which you have written? A. No, sir. My information was based upon the preaching of St. Paul, and also upon the testimony of those who personally witnessed the events of our lord's life from his birth to the day of his crucifixion and resurrection.²

Mr. Ben Yehudah: Your Honor, I presume it is superfluous to point out that the document introduced in evidence by the Prosecution, should not, as a matter of law, be allowed

to remain in evidence. Neither should the witness St. Luke be permitted to testify in this Court, because he admits that all his testimony as recorded in this Gospel is based mainly on hearsay evidence. However, Your Honor, I do not wish to appear as branding this document, "The Gospel According to St. Luke," as false and unreliable, since it has been accepted and honored by the Prosecution for nineteen centuries as the "Gospel truth." I do not wish to cast aspersions upon anybody's religious convictions. I therefore consent to this document remaining in evidence. I also consent that this witness shall give his testimony, even though it is based on hearsay, and I shall confine myself in my cross-examination to the subject-matter contained in the document, instead of to the person of the witness; that is to say, I shall endeavor to test the veracity of the traditions collected by the witness, and not of the witness himself. I am willing to concede that the witness was conscientious and scrupulous in recording the traditions, but I must question the wisdom of his choice of material and of his editing of that material.

The Court: The Court wishes to compliment Counsel upon his generous attitude. Now let us proceed.

Mr. Christiani (resuming his direct examination:) Q. St. Luke, are you able to recall from memory all the incidents related by you in this document, marked "Plaintiffs' Exhibit 3," or do you wish to refresh your recollection from its text? A. I would rather refer to the text, sir.

Q. Now please tell the Court and the ladies and gentlemen of the jury concerning the incidents that occurred immediately before the crucifixion of our lord Jesus Christ.

A. (The witness reads from "Plaintiffs' Exhibit 3," Chapter XXII : 1-2:)

1 Now the feast of unleavened bread drew nigh, which is called the passover. 2 And the chief priests and scribes sought how they might kill him; for they feared the people.

Q. Now, St. Luke please tell the Court and the jury what happened after this. A. Yes, sir. (The witness reads from the text, XXII : 3-6:)

3 Then entered Satan into Judas surnamed Iscariot, being of the number of the twelve. 4 And he went his way, and communed with the chief priests and captains, how he might betray him unto them. 5 And they were glad, and covenanted³ to give him money. 6 And he promised, and sought opportunity to betray him unto them in the absence of the multitude.

Q. Please proceed, and tell us about the next incident.

A. That was the preparation for the Passover. (The witness reads from the text, XXII : 7-13:)

7 Then came the day of unleavened bread, when the passover must be killed. 8 And he sent Peter and John, saying, Go and prepare us the passover, that we may eat. 9 And they said unto him, Where wilt thou that we may prepare? 10 And he said unto them, Behold, when ye are entered into the city, there shall a man meet you, bearing a pitcher of water; follow him into the house where he entereth in. 11 And ye shall say unto the goodman of the house, The master saith unto thee, where is the guestchamber, where I shall eat the passover with my disciples? 12 And he shall show you a large upper room furnished: there make ready. 13 And they went, and found as he had said unto them: and they made ready the passover.

Q. And what occurred after that? A. The Last Supper of our lord took place after that. (The witness reads XXII : 14-30:)

14 And when the hour was come, he sat down, and the twelve apostles with him. 15 And he said unto them, With desire have I desired to eat the passover with you before I suffer: 16 For I say unto you, I will not any more eat thereof, until it be fulfilled in the kingdom of God. 17 And he took the cup and gave thanks, and said, Take this, and divide it among yourselves: 18 For I say unto you, I will not drink of the fruit of the vine, until the kingdom of God shall come. 19 And he took bread, and gave thanks, and brake it, and gave unto them, saying, This is my body which is given for you: this do in remembrance of me. 20 Likewise also the cup after supper, saying, This cup is the new testament in my blood, which is shed for you. 21 But,

behold, the hand of him that betrayeth me is with me on the table. 22 And truly the Son of man goeth, as it was determined: but woe unto that man by whom he is betrayed! 23 And they began to enquire among themselves, which of them it was that should do this thing. 24 And there was also a strife among them, which of them should be accounted the greatest. 25 And he said unto them, The kings of the Gentiles exercise lordship over them; and they that exercise authority upon them are called benefactors. 26 But ye shall not be so: but he that is greatest among you, let him be as the younger; and he that is chief, as he that doth serve. 27 For whether is greater, he that sitteth at meat, or he that serveth? is not he that sitteth at meat? but I am among you as he that serveth. 28 Ye are they which have continued with me in my temptations. 29 And I appoint unto you a kingdom, as my Father hath appointed unto me; 30 That ye drink and eat at my table in my kingdom, and sit on thrones judging the twelve tribes of Israel.

Q. Please go on, St. Luke, and tell the Court and the jury of the next incident. A. Yes, sir. The lord's prediction of Peter's denial of him came next. (The witness reads XXII : 31-38:)

31 And the Lord said, Simon, Simon, behold, Satan hath desired to have you, that he may sift you as wheat: 32 But I have prayed for thee, that thy faith fail not: and when thou art converted, strengthen thy brethren. 33 And he said unto him, Lord, I am ready to go with thee, both in prison, and to death. 34 And he said, I tell thee, Peter, the cock shall not crow this day, before thou shalt thrice deny that thou knowest me. 35 And he said unto them, When I sent you without purse, and scrip, and shoes, lacked ye anything? And they said, Nothing. 36 Then said he unto them, But now, he that hath a purse, let him take it, and likewise his scrip: and he that hath no sword, let him sell his garment, and buy one. 37 For I say unto you, that this that is written must be accomplished in me, And he was reckoned among the transgressors: for the things concerning me have an end. 38 And they said, Lord, behold, here are two swords. And he said unto them, It is enough.

Q. Is there any other incident about which you wish to

tell the Court and the jury? A. Yes. I should like to tell about the lord's agony at Gethsemane. (The witness reads XXII : 39-46:)

39 And he came out, and went, as he was wont, to the mount of Olives; and his disciples also followed him. 40 And when he was at the place, he said unto them, Pray that ye enter not into temptation. 41 And he was withdrawn from them about a stone's cast, and kneeled down, and prayed. 42 Saying, Father, if thou be willing, remove this cup from me: nevertheless not my will, but thine, be done. 43 And there appeared an angel unto him from heaven, strengthening him. 44 And being in agony he prayed more earnestly: and his sweat was as it were great drops of blood falling down to the ground. 45 And when he rose up from prayer, and was come to his disciples, he found them sleeping for sorrow, 46 And said unto them, Why sleep ye? rise and pray, lest ye enter into temptation.

Q. And what happened thereafter? A. They arrested our lord Jesus Christ. (The witness reads XXII : 47-53:)

47 And while he yet spake, behold a multitude, and he that was called Judas, one of the twelve, went before them, and drew near to kiss him. 48 But Jesus said unto him, Judas, betrayest thou the Son of man with a kiss? 49 When they which were about him saw what would follow, they said unto him, Lord, shall we smite with the sword? 50 And one of them smote the servant of the high priest, and cut off his right ear. 51 And Jesus answered and said, Suffer ye thus far. And he touched his ear, and healed him. 52 Then Jesus said unto the chief priests, and the captains of the temple, and the elders, which were come to him, Be ye come out, as against a thief, with swords and staves? 53 When I was daily with you in the temple, ye stretched forth no hands against me: but this is your hour, and the power of darkness.

Q. Please tell us about the next incident, St. Luke. A. The next incident concerns Peter's denial of our lord. (The witness reads XXII : 54-65:)

54 Then took they him, and led him, and brought him

into the high priest's house. And Peter followed afar off.
55 And when they had kindled a fire in the midst of the hall,
and were set down together, Peter sat down among them.
56 But a certain maid beheld him as he sat by the fire, and
earnestly looked upon him, and said, This man was also with
him. 57 And he denied him, saying, Woman, I know him
not. 58 And after a little while another saw him, and said,
Thou art also of them. And Peter said, Man, I am not. 59
And about the space of one hour after another confidently
affirmed, saying, Of a truth this fellow also was with him:
for he is a Galilean. 60 And Peter said, Man, I know not
what thou sayest. And immediately, while he yet spake, the
cock crew. 61 And the Lord turned, and looked upon Peter.
And Peter remembered the word of the Lord, how he had
said unto him, Before the cock crow, thou shalt deny me
thrice. 62 And Peter went out, and wept bitterly. 63 And
the men that held Jesus mocked him, and smote him. 64
And when they had blindfolded him, they struck him on the
face, and mocked him, saying, Prophecy, who is it that
smote thee? 65 And many other things blasphemously
spake they against him.

Q. Is there anything else you wish to tell the Court and
the jury? A. Yes, sir. (The witness continues to read XXII :
66-71:)

66 And as soon as it was day, the elders of the people
and the chief priests and the scribes came together and led
him into their council, saying, 67 Art thou the Christ, tell
us. And he said unto them, If I tell you, ye will not believe:
68 And if I also ask you, ye shall not answer me, nor let me
go. 69 Hereafter shall the Son of man sit on the right hand
of the power of God. 70 Then said they all, Art thou then
the Son of God? And he said unto them, Ye say that I am.
71 And they said, What need we any further witness? for
we ourselves have heard of his own mouth.

Q. To your knowledge, St. Luke, was there a trial held
by the Roman Procurator Pontius Pilate? A. There was, sir.
(The witness reads XXIII : 1-25:)

1 And the whole multitude of them arose, and led him
unto Pilate. 2 And they began to accuse him, saying, We

found this fellow perverting the nation, and forbidding to give tribute to Caesar, saying that he himself is Christ a king. 3 And Pilate asked him, saying, Art thou the king of the Jews? And he answered him and said, Thou sayest it. 4 Then said Pilate to the chief priests and to the people, I find no fault in this man. 5 And they were the more fierce, saying, He stirreth up the people, teaching throughout all Jewry, beginning from Galilee to this place. 6 When Pilate heard of Galilee, he asked whether the man were a Galilean. 7 And as soon as he knew that he belonged to Herod's jurisdiction, he sent him to Herod, who himself also was at Jerusalem at that time. 8 And when Herod saw Jesus, he was exceeding glad: for he was desirous to see him of a long season, because he had heard many things of him; and he hoped to have seen some miracle done by him. 9 Then he questioned with him in many words; but he answered him nothing. 10 And the chief priests and scribes stood and vehemently accused him. 11 And Herod with his men of war set him to nought, and mocked him, and arrayed him in a gorgeous robe, and sent him again to Pilate. 12 And the same day Pilate and Herod were friends together; for before they were at enmity between themselves. 13 And Pilate, when he called together the chief priests and the rulers and the people, 14 Said unto them, Ye have brought this man unto me, as one that perverteth the people: and, behold, I, having examined him before you, have found no fault in this man touching those things whereof you accuse him: 15 No, nor yet Herod: for I sent you to him: and, lo, nothing worthy of death is done unto him. 16 I will therefore chastise him, and release him. 17 (For of necessity he must release one unto them at the feast.) 18 And they cried out all at once, saying, Away with this man, and release unto us Barabbas: 19 (Who for a certain sedition made in the city, and for murder, was cast into prison.) 20 Pilate therefore, willing to release Jesus, spake again to them. 21 But they cried, saying, Crucify him, crucify him. 22 And he said unto them the third time, Why what evil hath he done? I have found no cause of death in him: I will therefore chastise him, and let him go. 23 And they were instant with loud voices, requiring that he might be crucified. And the voices of them and of the chief priests

prevailed. 24 And Pilate gave sentence that it should be as they required. 25 And he released unto them him that for sedition and murder was cast into prison, whom they had desired; but he delivered Jesus to their will.

Q. Now please tell the Court and the jury what happened thereafter. A. The next incident concerns the crucifixion of our lord Jesus Christ. (The witness reads XXIII : 26-49:)

26 And as they led him away, they laid hold upon one Simon, a Cyrenian, coming out of the country, and on him they laid the cross, that he might bear it after Jesus. 27 And there followed him a great company of people, and of women, which also bewailed and lamented him. 28 But Jesus turning unto them, said, Daughters of Israel, weep not for me, but weep for yourselves, and for your children. 29 For, behold, the days are coming, in the which they shall say, Blessed are the barren, and the wombs that never bare, and the paps which never gave suck. 30 Then shall they begin to say to the mountains, Fall on us; and to the hills, Cover us. 31 For if they do these things in a green tree, what shall be done to the dry? 32 And there were also two other, malefactors, led with him to be put to death. 33 And when they were come to the place, which is called Calvary, there they crucified him, and the malefactors, one on the right hand, and the other on the left. 34 Then said Jesus, Father forgive them, for they know not what they do. And they parted his raiment, and cast lots. 35 And the people stood beholding. And the rulers also with them derided him, saying, He saved others, let him save himself, if he be Christ, the chosen of God. 36 And the soldiers also mocked him, coming to him, and offering him vinegar, 37 And saying, If thou be the king of the Jews, save thyself. 38 And a superscription also was written over him in letters of Greek, and Latin, and Hebrew, THIS IS THE KING OF THE JEWS. 39 And one of the malefactors which were hanged railed on him, saying, If thou be Christ, save thyself and us. 40 But the other answering rebuked him, saying, Dost not thou fear God, seeing thou art in the same condemnation? 41 And we indeed justly; for we receive the due reward of our deeds: but this man hath done nothing amiss.

42 And he said unto Jesus, Lord, remember me when thou comest into thy kingdom. 43 And Jesus said unto him, Verily I say unto thee, Today thou shalt be with me in paradise. 44 And it was about the sixth hour, and there was a darkness over all the earth until the ninth hour. 45 And the sun darkened, and the veil of the temple was rent in the midst. 46 And when he had cried out with a loud voice, he said, Father, into thy hands I commend my spirit; and having said thus, he gave up the ghost. 47 Now when the centurion saw what was done, he glorified God, saying, Certainly this was a righteous man. 48 And all the people that came together to that sight, beholding the things which were done, smote their breasts, and returned. 49 And all his acquaintance, and the women that followed him from Galilee, stood afar off, beholding these things.

Q. Now continue and tell us what occurred after that.

A. After that came the burial of our lord. (The witness reads XXIII : 50-56:)

50 And behold, there was a man named Joseph, a counsellor; and he was a good man and a just: 51 (The same had not consented to the counsel and deed of them;) he was of Arimathaea, a city of the Jews: who also himself waited for the kingdom of God. 52 This man went unto Pilate, and begged the body of Jesus. 53 And he took it down, and wrapped it in linen, and laid it in a sepulchre that was hewn in stone, wherein never man before was laid. 54 And that day was the preparation, and the Sabbath drew on. 55 And the women also, which came with him from Galilee, followed after, and beheld the sepulchre, and how his body was laid. 56 And they returned and prepared spices and ointments; and rested the Sabbath day according to the commandment.

Q. Now, St. Luke, do you know of any other significant incident that took place after the burial of our lord? A. Yes, sir. There was the resurrection of our lord Jesus Christ. (The witness reads XXIV : 1-12:)

1 Now upon the first day of the week, very early in the morning, they came unto the sepulchre, bringing the spices which they had prepared, and certain others with

them. 2 And they found the stone rolled away from the sepulchre. 3 And they entered in, and found not the body of the lord Jesus. 4 And it came to pass as they were much perplexed thereabout, behold, two men stood by them in shining garments: 5 And as they were afraid, and bowed down their faces to the earth, they said unto them, Why seek ye the living among the dead? 6 He is not here, but is risen: remember how he spake unto you when he was yet in Galilee, 7 Saying, the Son of man must be delivered into the hands of sinful men, and be crucified, and the third day rise again. 8 And they remembered his words, 9 And returned from the sepulchre, and told all these things unto the eleven, and to all the rest. 10 It was Mary Magdalene, and Joanna, and Mary the mother of James, and other women that were with them, which told these things to the apostles. 11 And their words seemed to them as idle tales, and they believed them not. 12 Then arose Peter, and ran unto the sepulchre; and stooping down, he beheld the linen clothes laid by themselves, and departed, wondering to himself at that which was come to pass.

Q. Do you know, St. Luke, whether Jesus appeared after his resurrection to any of his disciples? A. Yes, sir, he made several appearances to his disciples. (The witness reads XXIV : 13-49:)

13 And, behold, two of them went that same day to a village called Emmaus, which was from Jerusalem about three-score furlongs. 14 And they talked together of all these things which had happened. 15 And it came to pass, that, while they communed together and reasoned, Jesus himself drew near and went with them. 16 But their eyes were holden that they should not know him. 17 And he said unto them, What manner of communications are these that ye have one to another, as ye walk, and are sad? 18 And the one of them, whose name was Cleopas, answering said unto him, Art thou only a stranger in Jerusalem, and hast not known the things which are come to pass there in these days? 19 And he said unto them, What things? And they said unto him, Concerning Jesus of Nazareth, which was a prophet mighty in deed and word before God and all the people: 20 And how the chief priests and our rulers

delivered him to be condemned to death, and have crucified him. 21 But we trusted that it had been he which should have redeemed Israel: and beside all this, today is the third day since these things were done. 22 Yea, and certain women also of our company made us astonished, which were early at the sepulchre; 23 And when they found not his body, they came, saying, that they had also seen a vision of angels, which said that he was alive. 24 And certain of us that were with us went to the sepulchre, and found it even so as the women had said: but him they saw not. 25 Then he said unto them, O fools, and slow of heart to believe all that the prophets have spoken: 26 Ought not Christ to have suffered these things, and to enter in his glory? 27 And beginning at Moses and all the prophets, he expounded unto them in all the scriptures the things concerning himself. 28 And they drew nigh unto the village, whither they went: and he made as though he would have gone further. 29 But they constrained him, saying, Abide with us: for it is toward evening, and the day is far spent. And he went in to tarry with them. 30 And it came to pass, as he sat at meat with them, he took bread, and blessed it, and brake, and gave to them. 31 And their eyes were opened, and they knew him; and he vanished out of their sight. 32 And they said one to another, Did not our heart burn within us, while he talked to us by the way, and he opened to us the scriptures? 33 And they rose up the same hour and returned to Jerusalem, and found the eleven gathered together, and they that were with them, 34 Saying, The lord is risen indeed, and hath appeared to Simon.⁴ 35 And they told what things were done in that way, and how he was known to them in breaking of bread. 36 And as they thus spake, Jesus himself stood in the midst of them, and saith unto them, Peace be unto you. 37 But they were terrified and affrighted, and supposed that they had seen a spirit. 38 And he said unto them, Why are ye troubled? and why do thoughts arise in your hearts? 39 Behold my hands and my feet, that it is I myself: handle me, and see; for a spirit hath not flesh and bones, as ye see me have. 40 And when he hath thus spoken, he showed them his hands and his feet. 41 And while they yet believed not for joy, and wondered, he said unto them, Have ye here any meat? 42

And they gave him a piece of broiled fish, and of an honey comb. 43 And he took it, and did eat before them. 44 And he said unto them, These are the words which I spake unto you, while I was yet with you, that all things must be fulfilled, which were written in the law of Moses and in the prophets, and in the psalms, concerning me. 45 Then opened he their understanding, that they might understand the scriptures, 46 And said unto them, Thus it is written, and thus it behoved Christ to suffer, and to rise from the dead the third day: 47 And that repentance and remission of sins should be preached in his name among all nations, beginning at Jerusalem. 48 And ye are witnesses of these things. 49 And, behold, I send the promise of my Father upon you; but tarry ye in the city of Jerusalem until ye be endued with power from on high.

Q. What happened after these appearances? A. The ascension of the lord Jesus Christ. (The witness reads XXIV : 50-53:)

50 And he led them out as far as to Bethany, and he lifted up his hands, and blessed them. 51 And it came to pass, while he blessed them, he was parted from them, and carried up into heaven. 52 And they worshipped him, and returned to Jerusalem with great joy: 53 And were continually in the temple, praising and blessing God. Amen.

Mr. Christiani: That will be all, sir. The witness is yours.

Cross-examination by Mr. Ben Yehudah.

Q. You testified that you are a Syrian. Do you mean to say that you are a Jew residing in Syria? A. No, sir. I was a pagan before I became a follower of Jesus.⁵

Q. You described the Jewish festival as (XXII : 1) "the feast of unleavened bread, which is called the passover." What do you mean by the expression "which is called the passover"? Do you mean that the Jewish people generally designated this festival as "Passover"? A. Yes, sir.⁶

Q. To your knowledge, St. Luke, did your lord, at this time, before the Festival, make a prophecy to his disciples that

he would be betrayed to be crucified? A. No, sir.⁷

Q. The chief priests and the scribes you speak of (XXII :2), did they on this occasion assemble in the palace of the high priest Caiaphas? A. I do not believe so.⁸

Q. Are you aware, St. Luke, that at some time during the two days before this Passover, a certain woman anointed the head of Jesus with a very costly vial of ointment in the house of a leper named Simon? A. Not exactly, sir, although I did record a similar tradition in my Gospel.

Q. Do you mind repeating that tradition? A. May I refer to the text, sir?

Q. Yes, if you have to. A. (The witness reads from "Plaintiffs' Exhibit 3," Chapter VII : 36-49:)

36 And one of the Pharisees desired him that he would eat with him. And he went into the Pharisee's house, and sat down to meat. 37 And, behold, a woman in the city, which was a sinner, when she knew that Jesus sat at meat in the Pharisee's house, brought an alabaster box of ointment. 38 And stood at his feet behind him weeping, and began to wash his feet with tears, and did wipe them with the hairs of her head, and kissed his feet, and anointed them with the ointment. 39 Now when the Pharisee which had bidden him saw it, he spake within himself, saying, This man, if he were a prophet, would have known who and what manner of woman this is that toucheth him: for she is a sinner. 40 And Jesus answered and said unto him, Simon, I have somewhat to say unto thee. And he saith, master, say on. 41 There was a certain creditor which had two debtors: the one owed five hundred pence, and the other fifty. 42 And when they had nothing to pay, he frankly forgave them both. Tell me therefore, which of them will love him most? 43 Simon answered and said, I suppose that he, to whom he forgave most. And he said unto him, Thou hast rightly judged. 44 And he turned unto the woman, and said unto Simon, Seest thou this woman? I entered into thine house, thou gavest me no water for my feet: but she hath washed my feet with tears, and wiped them with the hairs of her head. 45 Thou gavest me no kiss: but this woman since the time I came in hath not ceased to kiss my feet. 46 My head with oil thou didst not anoint: but this

woman hath anointed my feet with ointment. 47 Wherefore I say unto thee, Her sins, which are many, are forgiven; for she loved much: but to whom little is forgiven, the same loveth little. 48 And he said unto her, Thy sins are forgiven. 49 And they that sat at meat with him began to say within themselves, Who is this that forgiveth sins also?

Q. Do you know when this incident occurred? Did it happen a few days before this Passover you spoke of? A. I do not know the exact date, but it was definitely not a few days before the Passover.

Q. Would you say, then, that this incident is not the same one that you have heard the other two witnesses, St. Matthew and St. Peter, relate in this Court? A. No, I suppose it could not have been the same.⁹

Q. Would you say, then, that your lord was anointed twice by a woman with precious ointment? A. Yes, so it would seem.

Q. The second anointing, told by the other two witnesses, took place, according to Jesus,¹⁰ in anticipation of his burial, and he therefore justified the extravagant act of the woman. But what was the occasion for the first anointment? What justification could be offered now for the needless extravagance? A. I really cannot say.

Q. Can you explain to the Court and the jury how that woman-sinner was able "to stand at his feet behind him" (verse 38), and in such a position wash his feet with tears, and wipe them with the hairs of her head, and kiss his feet and anoint them with ointment? A. I don't know how to explain it, sir.¹¹

Q. Do you know why the sinful woman used her hair to wipe the feet of Jesus instead of a towel? Was that a customary demonstration of respect?¹² A. I don't know.

Q. You will admit, St. Luke, that the behavior of the woman, coming with dishevelled hair in the presence of men, and using her hair to wipe a man's feet, and kissing a man's feet, would, in those days, have been considered the behavior of an unchaste woman, wouldn't you? A. I suppose it would have been so considered.

Q. And yet you would have us believe that Jesus, with his preaching of modesty and morality, accepted these immodest acts of a sinful woman, and even expressed his profound gratitude for them? Would any pious Jew have tolerated such lewd attention by a harlot? A. I don't know, sir.¹³

Q. Do you mean to tell the Court and the jury that your lord was so ungrateful to the Pharisee for his hospitality that he rebuked him for not having given him water to wash his feet, for not having kissed him, and for not having anointed his head with precious ointment? Would you say that this was polite behavior for a guest? A. My lord was no ordinary guest, sir.

Q. And for what reason would your lord have demanded that his head be anointed with oil? Was that the usual way of welcoming a guest? I don't know, sir.

Q. Why would he demand a kiss? Was it the custom among the Jews for a host to kiss a guest? A. I cannot answer this question, sir. I have merely recorded the tradition handed down to me.¹⁴

Q. But why did you deem it proper to incorporate such an unreasonable tradition in your Gospel? Does not this alleged incident tend to discredit your master?

Mr. Christiani: Your Honor, I object to this question as being incompetent, irrelevant, and immaterial. It has no bearing whatsoever on the issues involved in this case.

The Court: Objection overruled; I will allow this question.

Mr. Ben Yehudah (resuming the cross-examination of St. Luke): Q. Can you tell why you saw fit to incorporate this incident in your Gospel? A. I felt I had no right to ignore any incident relating to the life of our lord Jesus Christ.

Q. You stated (XXII : 3-4): "Then entered Satan into Judas Iscariot . . . and he went his way and communed with the priests and captains, how he might betray him unto them." You and the other Gospel-writers, the witnesses for the Prosecution, repeatedly testified that the Passion of the Nazarene had been preordained by the Almighty.¹⁵ Consequently, all the acts of God's tools, Judas Iscariot, the members of the

Sanhedrin, and Pontius Pilate, and even the Roman executioners, who were either directly or indirectly instrumental in bringing about the Passion, were guided by the Will of God. But now you assert that Judas' betrayal was the result of Satan's work.¹⁶ Aren't these statements inconsistent? A. These are highly involved theological questions, sir, which I cannot very well explain.¹⁷

Q. When Judas offered to betray Jesus, did he require that the chief priests reward him for his services? Did he ask for payment as a condition to the betrayal? A. No, sir, not to my knowledge.

Q. You have heard St. Matthew testify in this Court¹⁸ that Judas' motive in betraying Jesus was purely mercenary, and that he said to the chief priests, "what will ye give me, and I will deliver him unto you?" Judas insisted upon knowing in advance the exact amount he would receive for his betrayal. You disagree with him, then? A. You mean my tradition disagrees, not I.

Q. Your correction is well taken. When you incorporated this account in your Gospel, you had knowledge of Matthew's tradition.¹⁹ Did you, then, deliberately choose a tradition which contradicted his? A. I would not express it that way, sir. It is true, though, that my tradition is slightly different from his.

Q. I take it, then, that you adopted St. Peter's version of the story²⁰ that Judas did not ask to be paid when he offered to betray your lord. Is that right? A. Yes, sir.

Q. Can you explain to the Court and the ladies and gentlemen of the jury how you dared give credence to one of these two Apostolic witnesses above the other? What method did you use in choosing your material, and what made you decide whether St. Matthew or St. Peter told the truth? A. By divine inspiration, sir.

Q. I see. There were two conflicting divine inspirations, the Matthean and the Marcan, as dictated by St. Peter. Then along came your divine inspiration and told you which of the other two was to be trusted? A. That is correct, sir.

Q. You testified (XXII : 6): "And he promised, and

sought opportunity to betray him unto them in the absence of the multitude." According to your testimony, then, the betrayal of Judas consisted not in trumping up a charge against Jesus, but simply in having him apprehended in the absence of the multitude? A. Yes, sir.

Q. But you yourself testified (verse 47, *infra*) that a multitude came to arrest Jesus, headed by Judas Iscariot, the chief priests, the captains of the Temple, and the elders. So, according to your testimony, the Jewish authorities defeated the very purpose of their contract with Judas, which was to effect an arrest "in the absence of the multitude." Can you reconcile this obvious inconsistency in your traditions? A. I am not responsible for the traditions I received, sir.²¹

Q. But is it logical for a compiler of traditions, especially when relating to a divinity, to incorporate inconsistent reports? Did it not occur to you that this might reflect on the truth of your statements? A. These are only seeming contradictions, sir.

Q. Can you explain to the Court and the ladies and gentlemen of the jury why the Jewish leaders had to resort to the betrayal by Judas to effect an arrest in the absence of the multitude? Did they not have ample opportunity to arrest Jesus secretly? For example, could they not have arrested him at night at his favorite resort in the mountains? After all, the Jewish authorities had a police force at their disposal at the Temple in Jerusalem.²² Surely the mere matter of identification could not have hindered them, for it was possible to have ordered the arrest of all twelve Apostles together with their master. The Apostles might later have been freed and the Nazarene alone held in custody.²³ Why then this conspiracy with Judas? A. I merely followed my tradition, sir.

Q. You testified (XXII : 8), did you not, that Jesus, of his own accord, sent Peter and John to prepare the Passover? A. Yes, sir.

Q. You have heard St. Matthew and St. Peter testify in this Court, haven't you? A. Yes, sir, I have.

Q. Then you must have heard those witnesses testify²⁴ that it was the disciples who asked Jesus where they should

prepare the Passover. Do you still insist that Jesus sent them of his own accord? A. That was the tradition I received, sir.

Q. Can you explain, St. Luke, how you came to contradict both Gospels? A. I simply followed my divine inspiration, sir.

Q. I see. So your divine inspiration not only instructed you which of the other two divine inspirations to reject when they were inconsistent, but it also directed you when to ignore them? A. That is correct, sir.

Q. According to your testimony (XXII : 8), Jesus sent only Peter and John to prepare the Passover. St. Peter, too, testified to that effect.²⁵ But you have heard St. Matthew state²⁶ that Jesus sent all the disciples, didn't you? A. My tradition stated that he sent only two.

Q. Your testimony, St. Luke, is in agreement with that of St. Peter²⁷ that previous arrangements had been made with "the good man" regarding the Passover celebration in his house, and that Jesus, by prophetic intuition, knew that a man bearing a pitcher of water would come to meet them.²⁸ However, you have heard St. Matthew testify in this Court²⁹ that Jesus sent his disciples to a certain man to tell him that their master's time was at hand and that he desired to keep the Passover at the man's house. According to this account, no previous arrangements had been made. You contradict St. Matthew, then, do you not? A. It would seem so, sir.

Q. In the testimony you offered (XXII : 18), you agree with St. Peter³⁰ that the Nazarene prophesied that in the kingdom of God he would drink the fruit of the vine all by himself. But you have heard St. Matthew testify³¹ that Jesus prophesied that he would drink it then together with his twelve chosen Apostles. You followed your tradition faithfully in this, too? A. Yes, sir, I did.

Q. Now, St. Luke, do you mean to tell the Court and the ladies and gentlemen of the jury, that the Nazarene, a celestial being, one of the three godheads, destined to become God's equal, would hope and prophesy that he would again gratify his sensual desire for wine only after the advent of the kingdom of God? Will they who deserve to see the king-

dom of God satisfy their lusts as ordinary mortals do on earth?³² A. That is just what our lord said, according to my tradition, sir.

Q. You testified (XXII : 19) that the Nazarene said to his disciples: "This is my body which is given for you." According to your testimony, Jesus expressly stated that his body would be sacrificed as a vicarious offering for the benefit of his chosen disciples. Isn't this correct? A. Yes, sir.

Q. But you have heard the other two witnesses testify in this Court³³ that Jesus had only said, "Take, eat; this is my body," without mentioning its remissive significance. You thus contradict both Evangelists in this regard, although they were supposed to have been eyewitnesses as participants in the Lord's Supper? A. This was my tradition, sir.

Q. According to your testimony (XXII : 17, 20), Jesus drank two cups of wine, one before supper and the other after supper, and he gave his Apostles to drink of both cups. Isn't that right? A. Exactly.

Q. You have heard the other two Evangelists testify in this Court. Neither mentioned the first cup of wine. They simply stated³⁴ that he took the cup of wine as they were eating; and told his disciples to drink of it. Was yours the authentic version of the ritual supposed to have been observed by Jesus and his disciples? A. I recorded it as such.

Q. When you saw fit to embody this tradition in your Gospel, weren't you aware of the contradiction? If you were, then you deliberately contradicted the eyewitnesses of whom you wrote. Why? A. My Gospel was divinely inspired. I could not question it.

Q. Now, St. Luke, you as well as the other two Synoptic witnesses testified that the Nazarene said something to his disciples at the time he gave them the wine to drink, and all of you quoted what he said. You have heard the first witness, St. Matthew, quote Jesus as saying:³⁵ "For this is my blood of the new testament which is shed for many for the remission of sin." Then you have heard St. Peter quote Jesus as saying³⁶ "this is my blood . . . which is shed for many," but he did not testify that Jesus had added "for the remission of sin."

And now you testify (XXII : 20) that Jesus said on this occasion, "which is shed for you."

Pray, tell the Court and the jury what Jesus actually said on this occasion. The first two witnesses used the phrase "for many," which expression may be construed to be universal in nature, that is, that he was shedding his blood for the whole world and for all generations to come. However, you confined the benefit of the shedding of his blood to the circle of Apostles present at the Last Supper. There is a vast difference in the meaning of your recorded versions. Aren't we entitled to know the truth? What did Jesus actually say? Did he or did he not include the whole world in this benefit? A. I faithfully and honestly recorded the tradition submitted to me.

Q. According to St. Matthew's testimony,³⁵ the Nazarene expressly stated to his Apostles that his blood would be shed to remit the sins of many, perhaps of the entire universe. But neither you nor St. Peter mentioned any such claim on the part of your lord. Do you think that perhaps St. Matthew invented the dogma of the "remission of sin" himself? A. I wish I could . . .

Mr. Christiani (interrupting): Please wait with your answer. Your Honor, I strenuously object to this type of cross-examination, as incompetent, irrelevant, and immaterial. I object, too, on the further ground that my learned opponent would put the witness to the task of reconciling all matters that in his opinion are contradictory. All this witness is bound to do, under these special circumstances, is to satisfy the Court and the jury that he faithfully and accurately recorded the traditions he received. As he was not an eyewitness, he cannot be expected to answer for details not included in those traditions, but which actually took place in the presence of other unimpeachable witnesses.

Mr. Ben Yehudah: Your Honor, I maintain that, although the witness is testifying from hearsay, he may nevertheless be cross-examined to determine whether or not he was reasonable and logical in incorporating one or another tradition in his Gospel. After all, one cannot embody mere gossip in a document, and thereby apotheosize gossip into Gospel Truth.

The witness had the responsibility of using discretion and critical judgement in selecting and sifting his traditions. If it is proven that certain statements made by the compiler of hearsay evidence are contradicted by eyewitnesses, as we have just proven in this case, the testimony based on tradition must necessarily be considered false.

Furthermore, your Honor, I am pressing this question of the validity of traditions because the testimony not only of the present witness, but of St. Matthew and St. Peter as well, are so heavily based on such traditions. When the traditions contradict one another so patently and in so many vital details, is it not logical to reason that the entire structure of the testimony of the Prosecution's witnesses is unsound, a structure of fantasy and not of fact? What seems to be the divinely inspired tradition of one witness may turn out to be nothing but the clumsy invention of another.

This is what I hope to demonstrate by my cross-examination, Your Honor.

The Court: Objection overruled. Let the witness reply as he wished to do.

(By Mr. Ben Yehudah:) Q. Please tell the Court and the jury what you wished to say when you were interrupted by Counsel. A. I wanted to say that I wished I could reconcile all these seeming discrepancies. I am afraid I am unable to explain them at this time.

Q. You will admit that, in general, direct quotations should be accurate, especially when they are purported to be the words of a divinity. Now, you have heard the first witness St. Matthew testify³⁷ that Jesus said to the disciples, concerning Judas Iscariot, "Verily I say unto you, that one of you shall betray me." St. Peter recorded this quotation as,³⁸ "Verily I say unto you, One of which eateth with me shall betray me." Now your version has it that Jesus said (XXII : 21), "Behold, the hand of him that betrayeth me is with me on the table." Which of these three quotations is the correct one? A. I cannot say, sir.

Q. Your tradition likewise contradicts the other two eyewitnesses as to when the announcement that a betrayer was

present was made by the Nazarene. According to St. Matthew and St. Peter, it was made during the meal, while you testified (XXII : 20-21) that it was after supper. Did your divine inspiration tell you again to contradict them? A. Yes, sir. Otherwise I would not have dared to do so.

Q. If, according to your testimony the announcement of the betrayer's presence was made after the Institution of the Eucharist, then the traitor Judas received from the hands of Jesus the bread and the cup of wine along with the rest of the disciples. Isn't that so? A. It would seem so.

Q. Therefore, when Jesus said (XXII : 19), "This is my body," etc., and also when he said (XXII : 20), "This cup is the new testament in my blood, which is shed for you," Judas was included, and Jesus' body and his blood was shed for Judas' sake as well as for the rest of the disciples. Isn't that right? A. Yes, sir.

Q. Consequently, Judas' sin was likewise forgiven by the body and blood of Jesus? A. I think so.³⁹

Q. However, you testified in the name of St. Peter⁴⁰ that the traitor met with a very miserable death, "falling headlong, he burst asunder in the midst, and all his bowels gushed out." Why was he thus punished, if the blood of the Nazarene had been shed for him, and if, as Matthew testified,⁴¹ he had repented of his crime? Is this consistent? A. I do not know, sir.

Q. In your testimony you stated (XXII : 22) that, when the Nazarene spoke of the betrayer, he said, "but woe unto that man by whom he is betrayed." Are you certain you quoted him correctly? A. Yes, sir.

Q. You are certain that your tradition regarding this quotation did not contain anything more than what you stated? A. If there had been more, I would have included it.

Q. But you have heard the other two Synoptists, the first two witnesses, testify that the Nazarene cursed the betrayer, saying,⁴² "It had been better (or, according to St. Peter,⁴³ "Good were it") for that man, if he had not been born." How dared you omit the words of your lord? A. I can't account for that, sir.

Q. According to your testimony (XXII : 23), the disciples, upon hearing their master say that one of them would betray him, inquired among themselves who the betrayer would be. They did not question their master and they obtained no further information from him about the identity of the betrayer. Is this correct? A. Definitely so.

Q. Again your tradition contradicts St. Matthew and St. Peter. They testified⁴⁴ that each disciple asked of the Nazarene, "Is it I?" And he replied to them, "One that dippeth," etc. St. Matthew even testified that when asked by Judas Iscariot, the Nazarene pointed him out as the betrayer. Are they testifying falsely according to your account? A. No, that cannot be, sir.

Q. The other two witnesses for the Prosecution testified⁴⁵ that the disciples were sorrowful upon hearing that one of them would be a betrayer. But you are less kind to the Apostles. You testified that they were envious of one another, and at once began to quarrel among themselves as to which of them would be the greatest after the betrayal of their master to his doom.⁴⁶ Had you so little regard for the twelve chosen Apostles that you incorporated in your Gospel such an incredible tradition? A. I did not choose my tradition, sir. I merely recorded what was given me.

Q. Isn't it very strange, St. Luke, that neither St. Matthew nor St. Peter, presumably eyewitnesses, make any mention of these quarrels among the disciples or of the promises made by Jesus to them (Luke XXII : 24-30)? A. I admit it is strange, sir.

Q. Once before you testified to a similar incident,⁴⁷ that Jesus had told his disciples that "the Son of man shall be delivered into the hands of men." But "they understood not his saying." To them it sounded like a mystic saying. "Then there arose a reasoning among them, which of them would be the greatest." Isn't this correct? A. Yes, sir.

Q. St. Peter likewise recorded such an incident. He stated⁴⁸ that Jesus told them in simple terms, "The Son of man is delivered into the hands of men, and they shall kill him; and after that he is killed, he shall rise the third day."

Yet St. Peter himself admits that the disciples were so dull that they "understood not his saying." They did not understand the meaning of those very simple words, "and they shall kill," and they disputed among themselves, "who should be the greatest." People unable to understand so plain a declaration might very well be expected to indulge in vainglorious debates about personal greatness. But the strife recorded by you, St. Luke, was not due to the ignorance of their master's meaning. They understood him perfectly, that one of their own group would betray him into the hands of men, to be killed. This contention is proven by your testimony (verse 23, *ante*), that they nonchalantly asked among themselves, "Which of them it was that should do this thing?" And you want the Court and the jury to believe that those saintly men, instead of trying to find out who the scoundrel might be, totally disregarded their master's words and began to quarrel among themselves as to who would be worthy of succeeding him? Isn't this incredible? A. I received this tradition from a reliable source, sir.⁴⁹

Q. You testified (XXII : 28-29) that Jesus said to his disciples: "Ye are they which have continued with me in my temptations. And I appoint unto you a kingdom, as my Father hath appointed unto me." Is this correct? A. It certainly is.⁵⁰

Q. But according to the testimony of St. Matthew and St. Peter,⁵¹ these very disciples did not eventually stay with him at the time he needed them most, at the most critical moment of his life. Did not the Son of God know at this time that his saintly disciples would abandon him to his fate and flee from danger, when he would be arrested by the officers? A. There can be no doubt, sir, that my lord knew what would happen.

Q. According to your testimony (XXII : 30), Jesus said to his disciples: "That ye may eat and drink at my table in my kingdom." Do you mean to tell the Court and the jury, then, that in the Kingdom of God, Jesus will exercise worldly forms of power? That those who will deserve to rule this Kingdom, Jesus and his Apostles, will have to satisfy their physical needs by eating and drinking? A. It would appear

so according to the tradition I received.⁵²

Q. You testified (*l. c.*) that Jesus said to his disciples on this occasion that they would "sit on thrones judging the twelve tribes of Israel." So he satisfied the selfishness and vainglory of the twelve Apostles by promising them twelve thrones? A. Yes, sir.

Q. It cannot be doubted that St. Matthew and St. Peter were included in this promise, and that they, too, would have thrones. Isn't that correct? A. Of course.

Q. Why, then, did you not hear St. Matthew and St. Peter, who were directly concerned in the promise made by their lord, mention anything at all of this incident in their testimony? A. I really don't know why they did not mention it.

Q. Jesus, according to your testimony, promised twelve thrones, one to each of the twelve Apostles. Is that correct? A. Yes, it is.

Q. You testified (XXII : 21-22) that Jesus had already foretold the treacherous act of the betrayer Judas Iscariot, and had even evoked a curse on him. Is this correct? A. Yes, sir.

Q. Do you, then, wish the Court and the ladies and gentlemen of the jury to believe that Jesus, nevertheless, now assigned to this traitor a throne in his kingdom, the Kingdom of God, and included him among the favorite ones to sit with him at table? Was this a reward for faithfulness (XXII : 28)? Is it plausible?⁵³ A. I only recorded a tradition, sir.

Q. But does not your tradition prove that your lord was inconsistent with himself? Why did you deem it fit to incorporate in the Gospel? A. I really don't know, sir.

Q. And you testified (XXII : 31) that immediately after Jesus had made this promise to his twelve Apostles, he told Peter, "Satan had desired to have you, that he may sift you as wheat." Then you went on to tell how Jesus foretold Peter's denial of him. Where did all this take place? A. In Jerusalem, in the house where my lord and his disciples ate the passover.

Q. And when did Jesus and his disciples leave for the Mount of Olives? A. After this incident, sir. (XXII : 39).

Q. The tradition you recorded, then, is patently untrue. You have heard the other two Evangelists, St. Matthew and St. Peter, who were supposed to have been eyewitnesses and participants in the incidents you recorded, testify⁵⁴ that Jesus foretold Peter's denial of him after they had left Jerusalem and when they were already on the Mount of Olives. Can you reconcile this? A. No, sir.⁵⁵

Q. Furthermore, you testified (XXII : 31-32) that Jesus made some introductory remarks to St. Peter alone. Yet you have heard the other two Synoptists, eyewitnesses, testify⁵⁶ that Jesus spoke to all the disciples and said to them: "All ye shall be offended because of me this night." According to your testimony, Jesus said to Peter only that Satan desired to have him on general principles, without reference to "that night" particularly. Would you consider that a contradiction? A. Certainly, sir; but I cannot account for it.⁵⁷

Q. You also testified (XXII : 31) that Jesus told Peter that the object of the temptation was to sift him, to cause him to be rid of his bad and frivolous traits of character. Do you know any reason why Peter, who was directly interested in this important declaration by his lord, should have omitted it? Would not that incident rather tend to elevate the cowardly Peter in the eyes of the readers? A. I really cannot understand why St. Peter omitted it.⁵⁸

Q. You testified (XXII : 32) that Jesus told Peter that he "had prayed for him, that his faith fail not." You, as well as the two eyewitnesses, have testified that Jesus had the power to forgive sins,⁵⁹ had control of the elements of nature,⁶⁰ was able to cure all diseases,⁶¹ and all of these he accomplished without praying. He apparently had sufficient authority on earth to accomplish all this without praying to his Father. Why did he resort to prayer this time? Was he powerless to cure Peter's mental malady without prayer? Did he admit, on this occasion as he did on several others, that he was actually unable to accomplish everything he wished without the help of his Father, and that his Father was greater than he? A. Evidently so.⁶²

Q. You stated (XXII : 33) that Peter expressed his fidelity

to his master by making the following pledge: "Lord, I am ready to go with thee, both in prison, and to death." Is that a correct quotation? A. Definitely, sir.⁶³

Q. However, you have heard St. Peter testify in this Court⁶⁴ that he had made no such pledge at this time, and that he had merely said: "Although all shall be offended, yet will not I"; but he did not state that he had said, "unto prison," etc. Is your tradition inaccurate in this, too? A. I don't know what to say, sir.

Q. Did not Jesus, at this point, make some sort of a prophecy concerning his rising again and meeting his disciples in Galilee, and did he not predict that all his disciples would deny him so that a certain prophecy might be fulfilled? A. Not according to my tradition, sir.⁶⁵

Q. You testified (XXII : 34) that Jesus had foretold that Peter would deny him thrice before the cock crew. Didn't Jesus say that Peter would deny him thrice before the cock would crow twice? A. Not according to my tradition.⁶⁶

Q. But didn't you hear Peter himself testify that Jesus had mentioned two crowings of the cock? A. Yes, sir. I cannot account for that.

Q. According to your testimony (XXII : 34), Peter made no further reply to Jesus when the latter prophesied Peter's denial of him. Is that true, St. Luke? A. Precisely, sir.

Q. But your tradition is contradicted again by St. Peter himself and also by St. Matthew. They testified in this Court⁶⁷ that Peter vehemently protested and said to Jesus: "If I should die with thee, I will not deny thee in any wise." Is your tradition true to fact? A. I am sure it was divinely inspired.

Q. According to your testimony (XXII : 33), only Peter among the disciples made a solemn pledge of fidelity to his master. Is that true? A. Certainly.

Q. But you have heard the other two witnesses, St. Matthew and St. Peter testify⁶⁷ that "all" the disciples made such a pledge of fidelity to their master. Can you reconcile this discrepancy, sir? A. No, sir.

• Q. The entire conversation which you reported between Jesus and his disciples (XXII : 35-38), with reference to

obtaining swords, was not mentioned at all by the other Evangelic witnesses in their testimony in this Court. Shall we assume, then, that your tradition was a mere invention? A. No, sir, my traditions were reliable and authentic.⁶⁸

Q. You testified (XXII : 36) that Jesus advised his disciples to obtain swords, even at the cost of selling their garments, and to be prepared to shed blood if necessary. Isn't this correct? A. Yes, sir.

Q. You have heard St. Matthew, one of the eyewitnesses, testify in this Court,⁶⁹ that Jesus, as the Apostle of Peace, said to the unruly disciple who had cut off the ear of one of the high priest's servants: "They that take the sword shall perish with the sword." Do you wish us to believe that this Apostle of Peace now told his disciples to prepare for armed resistance, and to frustrate the will of his Father by sheer force and bloodshed? Is this logical? A. I am unable to explain that sir.⁶⁸

Q. According to your testimony, St. Luke, the Nazarene was convinced beyond any doubt that the prophecies recorded of him had to be accomplished for a certain end known to him alone (XXII : 37). Is this right? A. Certainly.

Q. But this statement is neither in harmony with the verse that precedes it, nor with the verse that follows it. If such was the case, why did he instruct his disciples to purchase swords (XXII : 36), and then tell them that two swords would suffice (XXII : 37)? Why prepare for combat? Can the will of the Almighty be frustrated by two swords? A. I cannot explain this apparent inconsistency.

Q. Can you explain, St. Luke, what Jesus meant by saying (XXII : 37), "It is enough," when he was told that the saintly group possessed only two swords? Did he mean to impress upon his disciples that with only two swords he would be able to resist a multitude of armed officers? Or, did he mean to tell the disciples that there would not be many officers in the arresting company and that therefore only two swords would suffice?⁷⁰ A. I do not know the exact meaning of our lord's statement.

Q. But whichever explanation you may offer, St. Luke, neither is in accord with the facts. The facts were that there proved to be a great multitude in the company that came with Judas (verse 47, *infra*), armed with swords and with staves, and all that they, the members of the holy group, could accomplish with their heroic resistance was to cut off the right ear of one of the officers (verse 50, *infra*), and to undo that, the Nazarene went to the trouble of healing the victim's ear by a miraculous touch (verse 51, *infra*). Can you explain, then, what made you incorporate such an inexplicable tradition in the Gospel? Does it not disprove your contention that your lord was a deity who had foreknowledge of the future?⁷¹ A. I can't explain that.

Q. You averred (XXII : 39-40) that Jesus told his disciples, "pray that ye enter not into temptation." Your tradition again contradicts the testimony of the eyewitnesses, St. Matthew and St. Peter, who testified⁷² that the Nazarene ordered all but three of his disciples to remain at a certain unknown place, while he took the three, Peter, James, and John, with him, and that he communed with them only. A. I merely recorded a tradition that I received from trustworthy sources, sir.

Q. But you are contradicting the two eyewitnesses again. St. Matthew and St. Peter testified⁷³ that Jesus said to the three disciples, "My soul is exceeding sorrowful even unto death," and he therefore begged of them, "Tarry ye here and watch with me." Did not your tradition contain any record of that at all, St. Luke? A. No, sir.

Q. You stated (XXII : 41), "And he was withdrawn from them about a stone's cast," that is, from all his disciples, and not only from the three he took with him, as the other two witnesses have testified. Can you tell us the exact measurement of a "stone's cast"? Do all persons—feeble, strong, old, young—cast stones an equal distance? Does not the size, shape, and weight of the stone matter? A. I don't know the exact measurement of a "stone's throw."⁷⁴

Q. If we are unable to ascertain at least the approximate

distance of a "stone's cast," how can we tell whether the disciples were within hearing distance of the Nazarene? A. I really don't know, sir.

Q. What exactly did Jesus say when he prayed? A. He said: "Father, if thou be willing, remove this cup from me; nevertheless not my will, but thine, be done" (XXII : 42).

Q. The other two witnesses contradict you. St. Matthew testified⁷⁵ that Jesus had prayed: "O my Father, if it be possible, let this cup pass from me." St. Peter testified:⁷⁶ "Abba, Father, all things are possible unto thee; take away this cup from me." Now, which is the authentic version of the prayer? A. I know only of the prayer that was transmitted to me by tradition.⁷⁷

Q. According to your testimony (XXII : 43), "an angel appeared unto him from heaven, strengthening him." Can you explain, please, what need there was for an angel to strengthen him? Unlike the two previous witnesses, you did not, thus far, describe Jesus as "sorrowful even unto death."⁷⁸ Why, then, did he require divine aid, the aid of an angel to strengthen him? Was he so overcome by fear and grief that he was unable to endure the mere thought of the ordeal without aid from Heaven? Was this why his Father sent the angel? A. I suppose so, sir.

Q. Isn't it remarkable though, that neither of the previous witnesses mentioned this appearance of the angel?⁷⁹ Where did you learn of this angel, St. Luke? A. From a very reliable source, sir.

Q. You will admit, St. Luke, that the Father has charge of the angels in heaven, and that His son who is equal with Him likewise has charge over them.⁸⁰ Do you wish us to believe, then, that an angel, a mere heavenly messenger, would be endowed with the power of strengthening a deity, one of the three godheads? A god cannot require his own angel's strengthening, can he? A. This is a highly involved theological question which I am unable to discuss at this time.

Q. Yet, you testified (XXII : 44) that despite the succor brought to him by the heavenly angel, the grief and fear of

the Nazarene increased to the point of agony, an agony of death? A. Yes, sir.

Q. Please tell the Court and the ladies and gentlemen of the jury what you meant by the statement (XXII : 44): "And his sweat was as it were great drops of blood falling to the ground"? Do you wish to describe the color of the drops of sweat that oozed from the body of your lord Jesus Christ, or their size, or their real nature? A. I am unable to answer this question.⁸¹

Q. The other two witnesses made no mention in their testimony of the drops of sweat.⁸² Who, then, gave you this description of your lord's agony? A. I was true to my traditions, sir.

Q. Who noted the color, the size, and the drops of sweat falling to the ground in the dark of night, conceding even that there was bright Palestinian moonlight, a "stone's cast" away from the scene? Certainly not the sleeping disciples (verse 45, *infra*)? A. I really cannot account for that.⁸³

Q. You testified (XXII : 45), "When he rose up from his prayer, and was come to his disciples, he found them sleeping for sorrow." Since Jesus had withdrawn from all his disciples to pray, he must have found all of them asleep. Isn't that correct? A. Yes, it is.

Q. But you have heard the two previous witnesses, St. Matthew and St. Peter,⁸⁴ accuse only three of the disciples, Peter, James and John, of having fallen asleep. Not three, but all were guilty, then? A. Yes, sir.

Q. Can you explain what the nature of the "sorrow" was that made the poor disciples fall asleep while their divine lord suffered such inhuman agony that drops of blood were sweated from his body?

Mr. Christiani: Your Honor, I object to the statement of Counsel. The witness has not testified that they were actually drops of blood. He merely said, "his sweat was as it were drops of blood falling to the ground," which may simply describe the size and the color of the sweat, but it does not necessarily signify that they actually were drops of blood.⁸¹

I therefore move that the expression, “drops of blood were sweated from his body,” be stricken from the record.

The Court: Objection sustained; strike it out. But let the witness answer the rest of the question.

(By Mr. Ben Yehudah:) Q. Please explain the “sorrow” you mentioned in your testimony. A. The grief of our master must have been shared by the disciples.

Q. But you yourself testified (verses 22-24, *supra*) that the disciples were so unmoved when their master foretold his doom, that they did nothing but speculate about the identity of the betrayer and quarrel about their own relative claims to succession. Surely you cannot ask us to believe that they now felt their master’s sorrow. What other sorrow, then, could have overtaken them that lulled them to sleep at this most critical moment of their master’s life? A. I don’t know.

Q. Now you testified (XXII : 46) that when Jesus returned and found them asleep, he said to them: “Why sleep ye? rise and pray, lest ye enter into temptation.” So, according to your testimony, he spoke to all the disciples, rebuked none of them for their indifference, but simply told them to rise and pray for their own good. And then immediately thereafter, “while he yet spake” (XXII : 47), Judas and his men arrived. Is this correct? A. Yes, sir.

Q. But you have heard the two previous witnesses testify⁸⁴ that Jesus spoke only to Peter, saying: “Could ye not watch with me one hour?” How do you explain this difference in testimony? A. I can’t explain it, sir.

Q. You testified that “all” the disciples slept “once.” Yet you have heard the other two witnesses testify⁸⁵ that “three” disciples, Peter, James, and John, had “three” sleeping sessions. Both versions cannot be true, can they? A. No, sir.

Q. According to your testimony, Jesus offered only one prayer to his Father. Your statement contradicts the testimony of the other two Evangelic witnesses who testified⁸⁵ that Jesus prayed three times. Is their version incorrect? A. I only recorded a tradition, sir.

Q. The other two witnesses testified in this Court⁸⁶ that

when Jesus returned and found them asleep for the third time, he said to them: "Sleep on now, and take your rest." Then he prophesied, apparently to himself: "The hour is come, and the Son of man is betrayed into the hands of sinners." But your tradition denies this, describing Jesus as saying (XXII : 46): "Why sleep ye, rise and pray, lest ye enter into temptation." Jesus expressed no compassion, then, and uttered no prophecy? The eyewitnesses were wrong, then? A. I cannot say that, sir.

Q. You have heard the other two witnesses testify in this Court⁸⁷ that when Jesus finally awakened the three disciples, he said to them: "Rise, let us go, behold he that betrayeth me is at hand." But you don't mention that Jesus urged his disciples to flee the approaching danger. Why? A. It was not in my tradition, sir.

Q. In describing the betrayer (XXII : 47), you state: "And he that was called Judas, one of the twelve." This disciple was already mentioned by you once before (XXII : 3-6, *supra*). Why, then, did you find it necessary to describe him as "one of the twelve" as though you were mentioning him for the first time? A. That is my literary style, sir.

Q. You testified (XXII : 47) that Judas "drew near to kiss him." Did he kiss him? A. Evidently not.⁸⁸

Q. But you have heard the other witnesses who were on the scene, testify⁸⁹ that Judas actually kissed Jesus. Do you wish to contradict them? A. No, sir, not at all. I merely recorded what had been told me.

Q. But what was your object in incorporating in your Gospel mere tales which expressly contradict the saintly eyewitnesses? Was it to discredit the Apostolic witnesses? A. Not at all, sir; that was not my intention.

Q. To your knowledge, did Judas say anything at all to his master before he made an attempt to kiss him? A. No, sir, not according to my tradition.

Q. But you are again differing with the other two eyewitnesses. St. Matthew testified⁹⁰ that Judas, upon approaching his master, said, "Hail, master," and kissed him. St. Peter testified⁹¹ that Judas said, "Master, master," and then kissed

him. But, according to your testimony, Judas said nothing at all? A. Nothing, sir.

Q. What did Jesus say to Judas when he kissed him, or made an attempt to kiss him? A. He said to him: "Betrayest thou the Son of man with a kiss?" (XXII : 48).

Q. Now, St. Luke, you have heard St. Matthew testify⁹² that Jesus said to Judas: "Friend, wherefore art thou come?" And then you have heard St. Peter testify⁹³ that Jesus absolutely said nothing at all to Judas. Now you testify that he said: "Betrayest thou the Son of man with a kiss?" Here we have three witnesses bearing testimony to the same thing, and each contradicts the other. Which, if any, is to be believed? A. I hope my tradition is reliable, sir.

Q. Can you explain why the Nazarene was supposed to have said, "Betrayest thou the Son of man with a kiss?" Was he trying to soften Judas' heart? A. It would appear so.

Q. Yet you say that the Nazarene had foreknowledge of what would happen in the future? A. Yes, sir.

Q. Why, then, was he now taken aback when he saw Judas at the head of the multitude? Why was he so greatly discouraged and alarmed, as is evidenced by his statement to the betrayer? A. I cannot account for that.

Q. According to your testimony (XXII : 54), the arrest of the Nazarene took place after the incident of the cutting off of the servant's ear. You accordingly stated (XXII : 49) that the disciples "saw what would follow." That is to say, they surmised that their master would be arrested by the officers. Isn't this correct? A. That is correct, sir.

Q. But you have heard the two eyewitnesses testify in this Court⁹⁴ that the arrest took place prior to this incident. Shall we conclude, then, that your tradition is incorrect? A. I cannot say so, sir.

Q. You testified (XXII : 49) that the disciples said to Jesus: "Lord shall we smite with the sword?"⁹⁵ However, you are aware that neither of the previous witnesses mentioned this in their testimony. You are sure that you recorded your tradition correctly? A. Yes, sir.

Q. Do you mean to tell the Court and the jury that the

disciples had so little reverence for their lord and god, that they dared ask his permission to offer armed resistance and shed blood? Is it divine to resort to physical violence? Did they expect a celestial being to sanction the shedding of human blood? A. I don't know how to explain that, sir.

Q. Why are you unable to explain that, St. Luke? Have you not already testified (XXII : 35-38) that your master urged his disciples to sell everything, even their garments, to purchase swords? Wasn't this sufficient to convince them that it was his intention to offer armed resistance if necessary? Now, when the hour came, they knew that their master would grant them permission to smite with the sword. Isn't this the reason, then, that they thought that their master would not be offended by their question?⁹⁸ A. Of course, sir.

Q. Did your master answer them? A. No, sir.

Q. Would you say, then, that the silence of your master was tantamount to tacit consent? A. Yes, sir, I would.⁹⁷

Q. You testified (XXII : 50) that "he smote the servant of the high priest, and cut off his right ear." Since neither of the previous eyewitnesses knew that it was the servant's "right ear," where did you obtain your information? A. By divine inspiration, sir.

Q. Did your divine inspiration explain to you why this bold Apostle who committed the offense of mayhem was not arrested for his attack upon an officer of the law? A. No, sir.⁹⁸

Q. What did your lord say after this attack by the unruly disciple? A. He said, "Suffer ye thus far" (XXII : 51).

Q. This he said to all the disciples, since he used the plural "ye." Is that correct? A. I really cannot say whether my lord addressed himself to the disciples or to the captors.⁹⁹

Q. What did your lord mean by this expression? A. If he spoke to the disciples, he perhaps wanted them to refrain from further violence.

Q. Let us see, then. You testified that the Nazarene first urged his disciples to obtain swords, and then when told that the saintly group possessed only two swords, he said these

would suffice (XXII : 35-38), obviously for the purpose of offering resistance. Then, at the critical moment, the Nazarene had a sudden change of heart: he suddenly ordered his disciples to desist from offering further resistance. Do you mean that your lord now saw that further resistance was futile and would only serve to infuriate the officers? A. Yes, sir, I think so.

Q. You stated that your lord said, "Suffer ye thus far," to all his disciples. According to St. Peter,¹⁰⁰ Jesus said nothing at all to his disciples, but immediately addressed himself to the multitude. St. Matthew testified¹⁰¹ that Jesus spoke only to the attacker, saying: "Put up thy sword into its place: for all they that take the sword shall perish with the sword." Who of you has the correct version? A. I faithfully followed my tradition, sir.

Q. You testified (XXII : 51) that your lord "touched his ear, and healed it." Do you mean to convey the thought that by his touch the wound that was caused by the cutting off of the ear healed immediately? Or, do you mean to tell us that the ear of the servant grew back at once as a result of the Nazarene's touch? A. I am not sure, sir.¹⁰²

Q. Is it not strange, St. Luke, that the multitude, who had come to arrest Jesus, took no notice of this miracle and remained unconvinced of the divine powers of the Nazarene? A. It is both strange and sad, sir.

Q. Neither St. Matthew nor St. Peter who cut off the ear of the servant mentioned the performance of such a miracle by the lord in their testimony.¹⁰³ Do you know why they should have omitted so dazzling a proof of the divinity of their master? A. No, sir, unless they themselves were not aware of the miracle performed before their very eyes.¹⁰⁴

Q. In other words, the very omission is in itself a miracle? A. Possibly, sir.

A. To your knowledge, St. Luke, did Jesus on this occasion boast that, if he wished, he could call upon twelve legions of angels to defend him, but that to do so would interfere with the fulfillment of the scriptures?¹⁰⁵ A. No, sir, not to my knowledge.

Q. You testified (XXII : 52) that Jesus "said to the chief priests, and the captains of the temple, and the elders, which were come to him," etc. These Jewish dignitaries, then, were included in the mob, or multitude, that came to arrest Jesus? A. Yes, sir.

Q. But according to the testimony of the eyewitnesses,¹⁰⁶ the multitude that came to arrest Jesus consisted of men that came "from" the chief priests and the elders, and presumably these authorities were themselves not present. Are you sure of your facts? A. I can only account for the accuracy of my recording, sir.¹⁰⁷

Q. Have you any conception at all of how important and holy this night of Passover was to the Jews? Is it not inconceivable that chief priests and elders would desecrate such a Festival by coming with swords and staves to make an arrest? A. I know it was a very holy Festival, sir.

Q. Is it not true that on this afternoon the chief priests were always busy with the slaughter of the paschal lambs brought by the thousands of Jewish pilgrims from every corner of the land, according to the Law of Moses?¹⁰⁸ A. Yes, I believe that was the custom.

Q. Did you not know that after this ritual, the chief priests and elders, like every other Jew in the land, went home to celebrate with their families, observing the order of the evening as prescribed by the Jewish traditional law,¹⁰⁹ drinking four cups of wine, relating the wonders connected with the departure of the Jews from the land of slavery, the land of Egypt, singing hymns and uttering praises to God? Yet you ask us to believe that now, after all this feasting and ritual, maybe some hours after midnight, they gathered a multitude of men, consisting of the Jewish elite, the chief priests, the elders, the captains, and a number of officers armed with swords and staves, and went to the Mount of Olives, led by the traitor Judas Iscariot, simply to arrest one man, Jesus of Nazareth? Have you considered at all what such actions would have meant to the Jewish masses as a whole, what a shocking desecration of the holiness of the Festival? Think, sir, of the social standing of the chief priests and elders in the com-

munity! A. I stand upon my tradition, sir.¹¹⁰

Q. You testified (XXII : 53) that Jesus said to the Jewish authorities, the chief priests, and captains of the temple, and the elders, "But this is your hour, and the power of darkness." But you have heard the other two Synoptists, who were eyewitnesses testify instead¹¹¹ that Jesus addressed himself to the multitude and told them about the fulfillment of a certain prophecy. Now what did Jesus actually say and to whom did he say it? A. I was faithful to my tradition, sir.

Q. To your knowledge, St. Luke, did the officers of the law lay hands on a certain young man, a follower of the Nazarene, who had nothing but a linen cloth cast about his body, and did this young hero leave the cloth in their hands and flee naked from their grasp? A. To my knowledge no such thing happened, or I would have recorded it.¹¹²

Q. To your knowledge, or tradition, was there at that time in the house of the high priest an assembly of scribes, elders, and chief priests? A. Not that I know of.¹¹³

Q. You testified (XXII : 54), as did the other witnesses¹¹⁴ that Peter followed from afar, presumably because he feared to be apprehended. Is that correct? A. Yes, sir.

Q. But you also testified (XXII : 55) that Peter sat down with the rest of the multitude when they kindled a fire in the midst of the hall. Can you explain to the Court and the jury how he gained admittance into the hall? And where did Peter pick up enough courage now to walk directly into the clutches of the law? Was he not afraid that he might be implicated with his master? A. I am unable to explain that.

Q. Will you please tell the Court and the jury what took place in the palace of the high priest after Jesus had been brought there? A. Peter denied his master three times after that (XXII : 55-62).

Q. Did not the Great Sanhedrin, the highest court at Jerusalem, convene there after the arrest? A. Not to my knowledge.

Q. Was not Jesus tried that night by a court that was presided over by Caiaphas, the high priest? A. Not that I know of.

Q. Did not the Jewish jurists make an endeavor to procure false witnesses at that time, so that Jesus could be convicted of a capital offense? A. I have never heard of that, sir.

Q. Was not Jesus that night unanimously convicted by the Great Sanhedrin of the capital offense of blasphemy? A. Not to my knowledge, sir.

Q. Was there any legal action taken at all against Jesus immediately after the arrest? A. No, sir, not until the following morning (XXII : 63-71).

Q. However, you have heard the other two witnesses, St. Matthew and St. Peter, definitely testify¹¹⁵ that a regular court session was held that night in the palace of the high priest Caiaphas, and that the Nazarene was sentenced to death after being declared guilty of the capital offense of blasphemy. They gave a detailed description of the alleged trial by the Sanhedrin. Should we conclude, then, that your version of the trial of Jesus is incorrect? A. I know of no trial of the lord before the Great Sanhedrin that night.¹¹⁶

Q. Can you explain what became of the Jewish dignitaries who made the arrest? Did they stay up all night warming themselves and enjoying the company of the prisoner and Peter and their officers? Did they spend their time in the palace listening to Peter's denial (XXII : 56-61), and making sport of the prisoner (XXII : 63-65)? A. I don't know, sir.

Q. By whom was Peter recognized the first time? A. By a slave girl of the high priest's household.¹¹⁷

Q. Where was Peter at the time the slave girl recognized him as having been with Jesus (XXII : 56)? A. He was in the middle of the hall together with the rest of the people who warmed themselves by the fire they had kindled (XXII : 55).

Q. Were these people, then, with whom Peter mingled in the high priest's palace of humble occupation, if a slave girl was one of their associates? A. Apparently so.

Q. Now, you have heard St. Peter himself testify¹¹⁸ that he was at that time "beneath in the palace." You also have heard St. Matthew aver¹¹⁹ that Peter was at that time "without in the palace." Now you testify that Peter was in the middle of the hall. How, then, can the Court and the

ladies and gentlemen of the jury tell where Peter actually was at that time? A. I do not know, sir.

Q. And what did Peter say to the slave girl? A. He said, "woman, I know him not" (XXII : 57).

Q. Can you tell the Court and the jury why you, the Evangelic witnesses, were unable to record properly those few words uttered by St. Peter? St. Peter himself testified in this Court¹²⁰ that he said to the maid, "I know not, neither understand I what thou sayest." Surely, he should know what he himself said. St. Matthew, however, insisted¹²¹ that Peter said, "I know not what thou sayest." And you, St. Luke, now claim that Peter said, "woman, I know him not."¹²² A. That was my tradition, sir.

Q. And Jesus was right there, in the company of Peter and the arresting officers? A. Yes, sir.¹²³

Q. So, when the maid said, "this man was also with him," she naturally pointed to Jesus? A. Evidently so.

Q. And when St. Peter denied him, saying, "woman, I know him not," he likewise looked at Jesus? A. Yes, sir.

Q. Do you mean to tell the Court and the jury that St. Peter lied to the slave girl, as well as to all those assembled there, in the presence of his lord and master, that he knew him not? Is this plausible, St. Luke? Why, only a few hours before, the master had foretold that his most faithful disciple would deny him thrice, and Peter had solemnly promised, "If I should die with thee, I will not deny thee in any wise."¹²⁴ A. I only recorded a tradition that was transmitted to me.

Q. How dared you incorporate such a tradition in your Gospel? Did you wish to hold out St. Peter to mankind as a shameless liar, even in the presence of his master? Is this the man we are to recognize as a trustworthy and unimpeachable witness?

Mr. Christiani: Your Honor, I move that the sarcastic remark made by my opponent be stricken from the record, on the ground that it is incompetent, irrelevant, and immaterial, as it tends to prejudice the jury. The witness has already testified that he merely recorded a tradition. Why, then,

does Counsel wish to impute sinister motives to the witness?

The Court: I allow the question of motive to remain on record, but I sustain your motion concerning the remark by Counsel as to the trustworthiness of the witness St. Peter. It is for the jury to draw conclusions from the testimony and not for the Counsel. Strike that out. Please continue.

Mr. Ben Yehudah (resuming cross-examination): Q. What was your motive in incorporating this tradition in your Gospel, St. Luke? A. No motive at all. I was just faithful to the traditions submitted to me.

Q. Where was St. Peter when he denied his master Jesus the second time? A. He was still in the middle of the hall, I presume, since my tradition does not disclose that he had gone anywhere else.

Q. But you have heard St. Peter himself and St. Matthew testify¹²⁵ that he was on the porch when he made the second denial. How do you account for that? A. I shall not attempt to account for it, sir.

Q. Who made the second identification of Peter, a man or a woman? A. A man, of course (XXII : 58).

Q. But St. Peter himself testified¹²⁶ that the maid who first detected him followed him onto the porch and identified him again, and you have heard St. Matthew testify¹²⁷ that the second identification was made by another girl? A. My tradition recorded that it was a man.

Q. Did the cock crow after the second denial was made by Peter? A. Not to my knowledge, sir.¹²⁸

Q. To your knowledge, did St. Peter make the second denial of his master with an oath? A. No, sir.¹²⁹

Q. Who made the third identification of Peter as having been with Jesus, "for he is a Galilean"? A. That was also made by a man (XXII : 59, 60).

Q. One or many? A. One, sir.

Q. You have heard St. Matthew and St. Peter himself testify¹³⁰ that the third time "they that stood by" recognized him. Do you wish to contradict those two Apostles? A. No, sir. But this was my tradition.¹³¹

Q. What did Peter say when he was recognized the third time? A. He said (XXII : 60): "Man, I know not what thou sayest."

Q. But Peter himself testified¹³² that he said to the people, and not to one man, "I know not this man of whom ye speak." And St. Matthew testified¹³³ that Peter said, "I know not this man." Can there be more than one correct quotation? A. No, sir. But I faithfully recorded my tradition.

Q. To your knowledge, did St. Peter curse and swear when he made the third denial of his master? A. No, sir, he did not. He simply made a denial as I have stated, but he did not curse or swear.

Q. But you have heard Peter himself admit,¹³² "and he began to curse and to swear, saying," etc. St. Matthew, too, testified,¹³³ "then began he to curse and to swear, saying," etc. Both witnesses testified that Peter had sworn falsely. Do you deny that? A. My tradition said nothing about cursing and swearing, sir.

Q. You testified (XXII : 61) that after the third denial, the lord turned, and looked upon Peter. And after this Peter remembered the prophecy of the lord. Is that correct? A. Yes, sir.

Q. You have heard St. Matthew and St. Peter testify¹³⁴ that Jesus was at that time tried by the Great Sanhedrin in an upper chamber of the palace. How, then, could Jesus have turned and looked at Peter who was somewhere beneath in the palace with the servants? A. As I have already stated, Jesus was not on trial during the night, but he was held in custody until the morning when he was put on trial.¹³⁵

Q. So, according to your testimony, seeing the lord alone was not sufficient to make Peter abstain from lying and denying him, but he needed the cock's crowing and a glance from the lord to be reminded. Was Peter so dull and of such short memory? A. That is the way it happened, sir.

Q. It is very strange, St. Luke, that neither St. Matthew nor St. Peter himself knew anything about Jesus' presence when Peter made the denials, or about the exchange of glances. According to their testimony,¹³⁶ it was the crowing of the

cock that reminded Peter of the lord's words, and not the lord's glance, as you stated. A. It is strange, sir.

Q. What happened after Peter's denial of Jesus in the palace of the high priest? A. They mocked our lord Jesus Christ (XXII : 63-65).

Q. Do you, then, wish to contradict the testimony of the two previous witnesses who testified¹³⁷ that the mocking of the Nazarene took place after the trial held in the palace of the high priest Caiaphas, and before the denial of Jesus by Peter? A. According to my tradition, the mockery of the lord followed Peter's denial.

Q. Who were the mockers of the Nazarene, St. Luke? A. "The men that held him" (XXII : 63).

Q. Do you mean the servants or the soldiers in whose custody Jesus had been left? A. Yes, sir.¹³⁸

Q. You are certain, then, that it was not the Jewish dignitaries that committed this repugnant act, as was testified by St. Matthew and St. Peter? A. I am certain of that, sir.

Q. You testified (XXII : 66) that "as soon as it was day, the elders of the people and the chief priests and the scribes came together, and led him into their council." Do you mean that the Jewish jurists convened in a regular court-session in the usual place of assembly? A. Yes, sir.¹³⁹

Q. The other two witnesses, as you have heard, disagree with you. They testified¹⁴⁰ that in the morning the authorities merely consulted about what to do with the convict, after which they bound him and led him away to Pontius Pilate. Are they incorrect, then? A. According to my tradition, they are incorrect, sir.

Q. According to your record (XXII : 66-71), the whole proceedings at the Jewish Supreme Court were conducted by all the members as a body: they examined the prisoner and made some other statements. Wasn't there a presiding judge who conducted the trial and asked questions as was testified by St. Matthew and St. Peter?¹⁴¹ A. Not according to my tradition.

Q. So, as soon as the prisoner was brought in, all the seventy-one members of the Sanhedrin asked Jesus whether he

was Christ? Did not the Jewish jurists make an attempt to procure the testimony of witnesses to the guilt of prisoner? A. No, sir. They asked him directly.

Q. But you have heard the other two witnesses disagree with you. St. Matthew testified¹⁴² that during the trial alleged to have been held by the Jewish jurists at night in the palace of the high priest, they sought false witnesses to put the Nazarene to death. St. Peter stated¹⁴³ that they at least made an attempt to comply with the Law of Moses by seeking two witnesses to testify that the prisoner was guilty of a capital crime. Now you tell us that there were no witnesses, but that the judges at once attempted to obtain a confession from him. Can your tradition be maintained? A. I faithfully recorded my tradition, sir.

Q. If we accept the version of your tradition that the Jewish jurists had no intentions of abiding by the most fundamental rules of law, whether Mosaic or Talmudic, in conducting the trial of the Nazarene, can you explain, then, why they had to go to the trouble of convening a court-session in the regular courthouse in the early hours of a solemn Festival? Did those representatives of the Jews purposely meet there in order to make a mockery of the Law of Moses and of their own laws and procedures? A. Perhaps they did so merely to trick the people.

Q. To your knowledge, did the judges adjure Jesus by the living God that he tell the truth in answering their question whether he was the Christ, as was told by St. Matthew?¹⁴⁵ A. My tradition failed to disclose that.

Q. Now, St. Luke, you have heard St. Matthew testify¹⁴⁵ that the high priest Caiaphas, who presided over the Great Sanhedrin, asked the prisoner to state whether he was "the Christ the Son of God." St. Peter averred¹⁴⁶ that the question asked by the high priest was, "Art thou the Christ, the Son of the Blessed." And you stated that the judges in unison asked only whether he was "the Christ." To what, then, did the Jewish jurists want him to confess?¹⁴⁴ A. My divine inspiration made no mention either of the expression "Son of God," or "Son of the Blessed."

Q. According to your testimony (XXII : 67), in reply to the question whether or not he was the Christ, he said: "If I tell you, ye will not believe." Is that correct? A. Yes, sir.

Q. You have heard the other two Synoptic witnesses testify that Jesus made an entirely different reply to the question put to him by the high priest. St. Matthew averred¹⁴⁵ that Jesus said, "Thou hast said"—an evasive, indefinite answer which could be interpreted as an admission. St. Peter asserted¹⁴⁶ that Jesus made a very definite, unequivocal reply, "I am." And according to your testimony, he replied: "If I tell you, ye will not believe." Doesn't your tradition, then, contradict their testimony? A. I admit it is somewhat different.

Q. But, St. Luke, is not the answer you ascribe to your lord illogical? Would any sensible person, needless to say a divinity, expect judges in a court of law to believe him that he is a divinity on his mere say-so? Does not the burden rest on him to prove it? How, then, can you expect us to believe that Jesus said to the judges, "If I tell you, ye will not believe"? Isn't this most illogical? A. My lord's statements, sir, cannot be measured by your standards of logic.

Q. You then testified (XXII : 68) that Jesus said further: "And if I also ask you, ye will not answer me." Can you explain what this reply means? Does it have any logical connection with what precedes it? The prisoner is now before the highest Court in the land, accused of making a claim which, according to your testimony, constituted a capital offense. If he wished to put in a defense, why did he not attempt to justify his convictions instead of asking questions of the judges? Why, for example, did he not boldly expound to the world his new theory of the Messiah, or the Christ? Not evasion, but fearless honesty would become a divine being. Or do you think otherwise, St. Luke?

Mr. Christiani: Your Honor, I object to this line of questioning by Counsel, as being incompetent, irrelevant, and immaterial. He is not asking questions of the witness, but he is arguing with him why Jesus preferred one procedure to another.

The Court: Objection overruled. The Defense has a legal right to test the veracity or authenticity of a statement made by the witness which tends directly or indirectly to incriminate the people he represents. The Defense, in this particular case, is anxious to prove that the statements made by the witnesses for the Prosecution are subject to doubt. He wants to prove that the traditions chosen by this witness for incorporation into his Gospel were not wisely chosen because they cannot be sustained on the principles of logic and common sense—in short, that they are not in conformity with human experience. Whether the Defense will succeed in proving this contention, will be decided by the ladies and gentlemen of the jury. Let Counsel restate the question and let the witness answer it.

Mr. Ben Yehudah (resuming the cross-examination of St. Luke, the third witness called by the Prosecution): Q. Please explain to the Court and the jury, why Jesus preferred to evade the question put to him by the judges? A. I merely recorded facts, sir. I do not attempt to explain them.

Q. What did the Nazarene mean by the expression, "And if I also ask you, ye will not answer me, nor let me go!" What was the nature of the questions Jesus would have liked to ask of the judges? A. I am unable to explain that.

Q. What is the exact meaning of the words, "nor let me go"? A. He meant that the Jewish judges would not free him.

Q. Isn't this illogical? Suppose Jesus did ask the judges the questions he had in mind, why would the asking of such questions necessarily result in their letting him go free? A. I don't know, sir.¹⁴⁷

Q. In implying that Jesus wished to be set free, was he admitting that he was powerless in the custody of human beings? Was he not also admitting that not only legal means, but super-legal, or divine means of release were beyond his power? A. I would not accept this interpretation, sir.

Q. You testified (XXII : 69) that Jesus said: "Hereafter shall the son of man sit on the right hand of the power of God." Can you tell the Court and the jury to what purpose

Jesus made this bold declaration before the judges? At first, Jesus refused to answer the question asked by the judges whether he was the Christ, because they wouldn't believe him. Did he now expect the judges, believers in a monotheistic concept of God, to accept this paganistic concept that a physical being, standing in their presence, would soon assume godhood and be seated on the right hand of the power of God? Is this consistent? A. Evidently, sir, he expected to be believed.

Q. Are you certain that your tradition had Jesus saying that he would be sitting on "the right hand of the power of God"? If, so, please tell us what this expression means? A. I am certain that I recorded my tradition correctly. However, I am unable to explain the meaning of the expression.¹⁴⁸

Q. The first two witnesses testified¹⁴⁹ that the Nazarene also added that he "would be coming in the clouds of heaven." If Jesus actually made such claim, why did you see fit to omit it? A. If I had known about it, I would surely have mentioned it in my Gospel.¹⁵⁰

Q. Then you testified (XXII : 70) that "all" the judges, and not only the President of the Sanhedrin as the other two Evangelic witnesses testified,¹⁵¹ asked Jesus: "Art thou the Son of God?" How did the judges now arrive at the conclusion that he claimed to be the Son of God? A. I presume because he claimed divine powers for himself as sitting on the right hand of the power of God.

Q. So, according to your testimony, the judges asked him this question "after" he had made the statement about sitting on the right hand of the power of God. However, you have heard the other two Synoptists testify that the high priest had put the question to him "before" he made any such claim. They contradict you as to when, during the alleged court proceedings, that question was put to the prisoner. Can you reconcile this contradiction? A. No, sir.

Q. Furthermore, the other two witnesses testified¹⁵¹ that the judges concluded that the Nazarene claimed divine powers for himself as the Son of God, a natural-born son of God in the full sense of the term (according to Christian interpretation), because witnesses testified¹⁵² that he had boasted that

he could destroy the Temple and rebuild it in three days. According to your testimony, the judges arrived at this conclusion by virtue of Jesus' own admission that he would be sitting on the right hand of the power of God. These two accounts are hardly in agreement, are they? A. They don't seem to be, sir.

Q. You testified (XXII : 71), that the judges said only, "What need we further witness? for we ourselves have heard of his mouth." Is that correct? A. Certainly.

Q. What, then, was the result of their findings? Was it merely that they heard what he said? Didn't they say of what offense he was guilty? Did not the judges reach a verdict? Didn't they sentence him to death? A. No, sir, not according to my tradition.

Q. But didn't they conduct some sort of trial? Why then, didn't they reach a verdict? Isn't it preposterous to state that the highest court in the land convened specifically to try Jesus, and then they simply reached the conclusion that they needed no further evidence because they themselves had heard his words? What if they did hear his words? Were those wise men of Jerusalem imbeciles? Imagine holding a session of the Court consisting of seventy-one members, the best legal minds in the land of Israel, only to arrive at the conclusion that the prisoner's admission is sufficient. Sufficient for what? for a conviction? No, for there was no verdict and no conviction! Can you explain what actually happened at this alleged trial of Jesus? A. I cannot elaborate any further on these events.

Q. So, according to your testimony, the entire Court, as one man, and not Caiaphas alone, declared that there was no need to look for witnesses, as was required by the Law of God, and relied solely on the confession made by the prisoner that he was the Christ and should therefore be punished somehow? A. Yes, sir.

Q. You have heard the other two Synoptists testify¹⁵³ that the President of the Sanhedrin asked the members to vote and decide whether or not the prisoner was guilty, and of what offense. The members of the Court then unani-

mously decided that he was guilty and should be condemned to death. Do you wish to contradict them even with regard to the very trial in the Jewish court of law? Remember, this trial is vital to the issue under investigation! A. I don't mean to contradict them, but I recorded a tradition which I knew to be reliable.¹⁵⁴

Q. What exactly do you mean by the expression "the whole multitude" in your record (XXIII : 1)? Does it mean the common people? A. No, sir. It refers to the whole collected body of priests, elders, and scribes. Those dignitaries started out to take the prisoner to the Roman Procurator, Pontius Pilate.

Q. And as the procession of the Sanhedrists advanced, a crowd of common people was attracted and followed? A. That is correct, sir (verse 4, *infra*).¹⁵⁵

Q. Again, St. Luke, you ask the Court and the jury to believe that in the late morning hours of this solemn first day of Passover, when the streets of Jerusalem were crowded with Jews from every corner of the Holy Land, the most prominent men in the Jewish commonwealth, members of the highest court in Jerusalem, dared to lead a rabble, with Jesus as prisoner, to the palace of Pontius Pilate! Do you mean to tell us that these dignitaries not only cast aside all dignity but openly violated all their religious rites in order that they might indulge their one supreme desire: to be rid of the Nazarene? Isn't this scene rather preposterous? A. Sir, this was a tradition I received from very reliable and trustworthy sources.

Q. You testified (XXIII : 2): "And they began to accuse him." Do you mean to say that the whole "multitude," all the members of the Sanhedrin, together with the mob that had gathered, accused him before the Roman Procurator? A. Yes, sir.¹⁵⁶

Q. Surely you cannot mean that a whole mob shouted a complaint in a Roman courthouse to a Roman judge. Wasn't this a disrespectful procedure? A. That was recorded by divine inspiration, sir.

Q. You testified (XXIII : 2) that they lodged three dis-

tinct charges, or counts, against the prisoner before Pilate: (1) "We found this fellow perverting the nation," which in Roman law constituted the offense of sedition; (2) "forbidding the people to give tribute to Caesar," which was the political offense of insurrection; (3) "saying that he himself is Christ a king," which in Roman law constituted the political offense of treason. Is that correct? A. Yes, sir.¹⁵⁷

Q. Even in this very important incident, a trial before the Roman Procurator, you contradict the other two witnesses. You have heard St. Matthew and St. Peter testify¹⁵⁸ that the Jewish jurists preferred no specific charges against the prisoner at this point, and that Pilate of his own accord asked him. "Art thou the king of the Jews?" Who, then, recorded the actual procedure before Pilate? A. I faithfully recorded my inspiration.

Q. According to your testimony (XXIII : 3), Pilate dropped or ignored the first two counts charged against the prisoner, those of sedition and insurrection, but examined him only on the third count, that of treason: "Art thou the king of the Jews?" Is that correct? A. Yes, sir.

Q. And to this serious charge of treason, the prisoner replied, "Thou sayest it." Pilate thereupon declared to the mob: "I find no fault in this man" (XXIII : 4). Do you mean to tell the Court and the jury that in spite of the fact that the prisoner confessed that he was guilty of treason, Pilate openly said that he found him guilty of no crime?¹⁵⁹ A. Yes, sir.

Q. And you then testified (XXIII : 5) that the mob "grew more fierce, saying, He stirreth up the people, teaching throughout all Jewry, beginning from Galilee to this place." Do you mean to tell us that the subjugated Jews dared to grow "fierce" after the Roman Procurator had made an unequivocal statement of innocence which had the force of law in the eyes of a Roman? Had they no fear of this Roman dictator? A. The mob did grow more fierce, sir, according to my divine inspiration.

Q. You testified (XXIII : 3) that Pilate dropped the first two counts and laid stress on the third one, that of treason.

Can you explain, then, why the wise men of Jerusalem did not follow his lead and stress the charge of treason instead of shifting to the charge of sedition, "he stirreth up the people"? A. I cannot explain that, sir.

Q. You stated (XXIII : 5) that the Jewish jurists complained that "he stirreth up the people" to sedition because "he is teaching throughout all Jewry." They did not say what he was teaching, yet they insisted that "he stirreth up the people." To your knowledge, did the mere act of teaching constitute a crime in the Roman or Jewish system of jurisprudence? A. No, sir.

Q. Your record, then, is incomplete and superficial, is it not? A. I recorded whatever was submitted to me.

Q. You likewise stated (XXIII : 5) that, to make their charge more effective, they—apparently the whole mob— injected the word "Galilee," which was known to the Roman authorities as the hot bed of insurrection against Rome. Is that so? A. Yes, sir.

Q. But according to your testimony, the shrewd men of Jerusalem were not clever enough to lay stress upon the treason charge that was favored by Pilate, but you maintain that now not only the leaders but even the common people had enough sense to mention the province noted for revolutionary movements. Isn't that rather inconsistent? A. This was my tradition, sir.

Q. To your knowledge, St. Luke, did the wife of Pilate have a dream in which she suffered many things on account of Jesus, and did she apprise Pilate of it when he sat down on the judgement seat, as you have heard St. Matthew testify?¹⁶⁰ A. No, sir, not to my knowledge.

Q. According to your testimony (XXIII : 6-7), when Pilate knew that Jesus came under Herod's jurisdiction, he sent him to Herod. It is rather strange that neither St. Matthew nor St. Peter¹⁶¹ makes mention of what transpired between Pilate and Herod.¹⁶² Wouldn't it have been advantageous to their cause to mention, as you did, that Herod likewise found the Nazarene innocent? Their silence on this point would seem, then, to brand your tradition a mere in-

vention or legend, would it not?¹⁶³ A. Divinely inspired traditions cannot be mere inventions or legends, sir.

Q. Would you say that the Roman Procurator was so timid and cowardly that he wished to shift the responsibility upon the shoulders of his erstwhile enemy, the Jewish Tetrarch of Galilee?¹⁶⁴ A. It would appear so.

Q. You testified (XXIII : 8), "and when Herod saw Jesus, he was exceeding glad: for he was desirous to see him of a long season." Do you mean to say that the ruler of Galilee until now had not been able to have the pleasure of meeting Jesus, one of his subjects, in spite of the fact that the Prophet of Nazareth had made so many visits to Galilee to his own family and to many different localities and towns? A. So it would seem.

Q. But as ruler of Galilee, could not Herod have extended an invitation to the Prophet of Nazareth and have had the pleasure of meeting him in his own palace? Or, if need be, could he not have ordered his officers to seize the Nazarene for that purpose, as he had done with John the Baptist?¹⁶⁵ A. He did not do that, sir.

Q. Did you not testify on a previous occasion¹⁶⁶ that the Jewish leaders, the very Pharisees whom Jesus called hypocrites, had once before warned the Nazarene to leave Galilee, lest he incur the penalty of death at the hands of Herod? A. Yes, sir.

Q. Do you mean to tell us that now Herod was exceedingly glad to see him? Is this narration consistent and intelligent? A. This was my tradition, sir.

Q. You averred (XXIII : 9), "then he questioned with him in many words." Do you know what Herod questioned him about? What can we learn from your testimony regarding this examination by Herod? What did the haughty ruler wish to learn from the prisoner? A. My tradition failed to disclose these details.

Q. You testified (XXIII : 9) that Jesus "answered him nothing." Was he afraid to commit himself in the presence

of Herod? You stated once before¹⁶⁶ that, out of Herod's reach, Jesus was not afraid to tell the Pharisees, who had warned him of Herod, to go to the ruler of Galilee and tell "that fox" that he was not fearful of him. Why did he refrain from saying a single word to him now? A. It is likely that he did not condescend to speak to the fox.

Q. But the Nazarene as a divine being should have respected constituted authority. Wasn't Herod the acknowledged Tetrarch of his native province of Galilee? Why then did he disdain to answer him? Furthermore, if Pilate had sent Jesus to be tried by Herod, then Herod must have had the authority to compel the Nazarene to answer. Why did Herod not do so? A. I cannot tell why some things happened and why other things did not happen. I merely recorded a tradition.

Q. According to your testimony (XXIII : 10), it was no longer the whole mob, the multitude, that made the complaint against Jesus to Herod, but the leaders of the people, the chief priests and scribes. Do you know of what they accused him? Did they now repeat the same charges which they had made before Pilate, the Roman tyrant, or did they accuse him on religious grounds? A. My tradition did not disclose that.

Q. Very intelligent recording of a trial, sir! According to your testimony (XXIII : 11), Herod rendered no decision and gave no opinion as to the guilt or innocence of the prisoner, but passed the whole thing off as a mere joke. Do you mean to tell the Court and the jury that Herod dared openly to defy the Sanhedrists, the chief priests and scribes, paying no attention whatsoever to the charges they preferred against the prisoner? After all, was he not the Jewish ruler of Galilee? Is it likely that he would mock the Jewish leaders of the Holy City? Is this tradition plausible? A. I received it from a reliable and dependable source, sir.

Q. Herod, then, according to your testimony, considered Jesus a harmless fanatic and treated him as such?¹⁶⁷ A. It would seem so.

Q. And Herod, according to your record, mockingly assented to Jesus' claim to be king of the Jews? A. Yes, sir.

Q. Then how can you possibly ask us to believe that Herod, to please Pilate, his personal enemy and the enemy of his people, would have chosen to make a laughing stock of this harmless fellow-Jew by dressing him in a gorgeous robe, in royal regalia as king of the Jews, and sending him off to Pilate to be mocked by the hated Romans? Would this be in keeping with Herod's personal or national pride, do you think?¹⁶⁸ A. I cannot account for Herod's absurd actions, sir.

Q. But didn't Pilate send Jesus to Herod to do with him as he saw fit? Why, then, didn't Herod dispose of the case then and there and set the prisoner free, if he thought him harmless? A. I don't know, sir.

Q. You testified (XXIII : 13) that Pilate later called together the chief priests and the rulers of the people. The rulers and the chief priests and the multitude had already taken Jesus to Herod, and Herod had sent them back to Pilate (verse 11, *supra*). Why, then, was it now necessary for the Roman dictator to summon them? Weren't they there together with the multitude all the time? A. I don't know. Perhaps the crowd had dispersed in the meantime.

Q. How did Pilate call the people together? What means did he employ for that, and how quickly could he get them together? Can you explain this? A. No, sir, not very well. Perhaps he called them together by proclamation.

Q. Do you know why Pilate wanted more common people? A. He probably hoped that he would find the populace more kindly disposed, and able to influence their rulers.¹⁶⁹

Q. You testified (XXIII : 14) that Pilate said to them. "Ye have brought this man unto me, as one that perverteth the nation: and, behold, I, having examined him before you, have found no fault in this man touching those things whereof you accuse him." Is this correct? A. Yes, sir.

Q. But this procedure bears no resemblance to that of a legally constituted court of law. The issues are constantly being confused. How could the presiding justice keep leaping from one charge to another? Had Pilate conveniently forgotten that the prisoner but a few hours before had admitted to him that he was the king of the Jews (verse 3, *supra*)? In short, Jesus had already confessed to treason. Why should Pilate now try to absolve the Nazarene of sedition, an offense which he at first had refused to consider? A. I am unable to explain that.

Q. When did Pilate examine the prisoner on the charge of sedition in the presence of the multitude, as he now states? Is it not a fact that all three Synoptists, St. Matthew, St. Peter and yourself, testified¹⁷⁰ that Pilate had asked nothing of Jesus, but whether he was the king of the Jews? There is no record at all of any other examination by Pilate. When, then, did he examine him so thoroughly in the presence of all, that he could find him not guilty of sedition? There is no mention that the Roman Procurator had summoned witnesses to testify either for or against the prisoner. Do you consider this to be a plausible legal procedure? A. That was my tradition, sir.

Q. You stated (XXIII : 15) that Pilate told the mob that "nothing worthy of death was done to him" by Herod. Would that signify, then, that Herod while at Jerusalem, would have jurisdiction over the prisoner and would have the authority to declare Jesus guilty of an offense punishable by death? A. It would seem so.¹⁷¹

Q. You averred (XXIII : 16) that Pilate now offered to compromise with the Jews and their leaders. Even though he found no fault at all with the Nazarene, he was willing to yield to the insistence of the Jewish mob, at least to the extent of scourging the prisoner, provided that then the prisoner would be released. Is this a correct summary of your testimony? A. Yes, sir.¹⁷²

Q. You, as well as the other witnesses for the Prosecution, wished to prove to posterity that Pilate, in this particu-

lar instance, made an honest effort to free an innocent man, but that the Jews would not permit him to do so? A. That is true, sir.

Q. In "Plaintiffs' Exhibit 3," Chapter XIII, verse 1, you stated that Jesus had been informed "of the Galileans, whose blood Pilate had mingled with their sacrifices." Do you recall this statement? A. Yes, sir, I do.

Q. Are we to understand, then, that this Roman tyrant, softened by compassion for an innocent man, yet terrified by the pressure of Jewish public opinion, despite the armed might of his Roman legions, offered to satisfy both, his conscience and his subjects, by inflicting upon the Nazarene the terrible punishment of scourging? This, St. Luke, is neither Roman justice, nor Jewish justice, nor even Christian justice. And would you say, St. Luke, that by Roman, Jewish, or Christian standards, such actions are logical? You agree that Pilate was a tyrant. But it is the essence of tyranny to disregard the demands of the people and to impose one's will upon them. Yet you tell us that Pilate feared the people, and therefore could not even free one innocent prisoner. Is this not unbelievable conduct on the part of a Roman official?¹⁷³ A. The tradition I recorded came from an irrefutable source, sir.

Q. According to your testimony (XXIII : 18), "they cried out all at once, saying, Away with this man, and release unto us Barabbas." Again the mob makes "demands" of Pilate! It is as if the Jews were the tyrant and Pilate the subject! According to your statement, the Jewish jurists made no attempt to argue the case on legal or factual grounds to convince the Roman judge that, contrary to his decision, the prisoner was actually guilty as charged. But they simply shouted with the mob, to scare the timid Procurator. Seriously, St. Luke, is this meant to be a picture of a Roman trial? A. Yes, sir.

Q. This is your first mention of Barabbas, is it not? A. Yes, sir.

Q. Why, then, do you speak of him so matter-of-factly,

as though he were already known to the readers? A. No special reason, sir.

Q. To your knowledge, St. Luke, was this Lucius Pontius Pilate sent as a personal representative of Tiberius Caesar to the province of Judea to quell any possible insurrection there against the Roman rule? A. Yes, sir.

Q. And to your knowledge, wasn't the Roman Procurator present in Jerusalem at this time for the purpose of crushing, with the javelins of his soldiers, any sign of insurrection that might appear in Jerusalem during the Festival season when thousands of restless Jews had gathered there to celebrate the Passover? A. That is correct, sir.¹⁷⁴

Q. Did you not testify (XXIII : 19, 25) that this Barabbas was guilty of murder committed in the act of inciting insurrection? A. I did.

Q. Now, is the Court and the jury to believe that the Jews and their leaders, surrounded by Roman soldiers before the palace of Pilate, would dare to shout demands for the release of such a prisoner? Would not the Jewish leaders themselves become implicated in the same serious charge of sedition and insurrection by making such a demand?¹⁷⁵ A. I cannot explain their actions, sir.

Q. You stated (XXIII : 20) that Pilate "was willing to release Jesus, and he spake to them again." Do you know what Pilate spoke to them about? A. The release of Jesus, I suppose.

Q. So, this weak, superstitious Procurator was anxious to do something for the innocent prisoner, but he did not know exactly how to go about it. He forgot his legions which he had with him, ready to shed blood at his beck and call; he forgot that the might of Rome was behind him to suppress any sign of uprising in that rebellious province to which he had been assigned; and instead he begged the crowd of Jews to sustain him in his opinion of the Nazarene's innocence. Is that plausible? A. Divine inspirations, sir, cannot be measured by human standards of plausibility.

Q. According to your testimony (XXIII : 22), Pilate protested the innocence of Jesus three times, whereas St.

Matthew and St. Peter testified¹⁷⁶ that Pilate did so only once. And on the whole, your description of the so-called trial of Jesus before the Roman Procurator differs materially from the accounts you heard given by the other two witnesses. Can you account for these differences? A. I used an independent source, sir.¹⁷⁷

Q. You testified (XXIII : 22) that Pilate said to the mob, "Why, what evil hath he done? I have found no cause of death in him." Pilate, according to you, found the prisoner not guilty of a capital offense. Did Pilate wish to suggest to the Jewish mob that Jesus might be found guilty of a lesser offense? A. It would seem so.¹⁷⁸

Q. But he did not find Jesus guilty of such a lesser offense—did he? A. No, sir.

Q. Yet, you wish us to believe that despite his failure to find the prisoner guilty of any offense, he would again offer to punish him by scourging? The mob had already refused such an offer (verse 16, *supra*), why repeat it? A. I cannot explain the facts, sir.¹⁷⁹

Q. The other two witnesses for the Prosecution¹⁷⁹ did not mention this offer of a compromise on the part of Pilate. They did not mention in their testimony that Pilate had offered to scourge Jesus and set him free. Do you wish to contradict them? A. Not at all, sir. I for my part merely recorded a tradition.

Q. To the best of your knowledge, did the Roman Procurator, at this stage of the trial, wash his hands declaring that he was not guilty of shedding innocent blood, as you have heard St. Matthew testify?¹⁸⁰ A. No, sir, not to my knowledge.

Q. Did the Jewish mob, in reply to Pilate's protestations of the prisoner's innocence, at any time yell out: "His blood be on us, and on our children," as you have heard St. Matthew testify?¹⁸⁰ A. Not according to my tradition, sir.¹⁸¹

Q. According to your testimony (XXIII : 24), Pilate, intimidated by the Jewish mob, now rendered "a sentence that it should be as they required." Evidently you expect the Court and the ladies and gentlemen of the jury to be-

lieve that Pilate put himself on record for posterity, incidentally for Tiberius Caesar as well, that he was forced to substitute death for acquittal to gratify the unjust demands of a Jewish rabble!¹⁸² A. I recorded faithfully and conscientiously the tradition I received, sir.

Q. The other two witnesses, St. Matthew and St. Peter, testified¹⁸³ that at this point the Roman soldiers mocked Jesus, by putting a crown of thorns on his head, a reed in his right hand, arrayed him in a red or scarlet robe, and paid him royal homage, and then smote him. Why did you omit this mockery by the Roman executioners? Were you motivated by a desire to apologize to the official Roman world? And was it for this reason that you omitted the mockery by the Roman soldiers and instead ascribed it to the Jew Herod and his men? A. Not consciously, sir.¹⁸⁴

Q. Do you know whether Pilate had the Nazarene scourged before the crucifixion? A. Not according to my tradition, sir (verses 24-26, *infra*).¹⁸⁵

Q. Now, St. Luke, once before you testified (XVIII : 32-33) that on a certain occasion Jesus had prophesied to his twelve disciples that he would be "delivered to the gentiles, and shall be mocked . . . and they shall scourge him and put him to death." Isn't that correct? A. Yes, sir.

Q. But according to your testimony, your lord was neither mocked nor scourged by the gentiles, and thus your lord's prophecy did not prove true. Would you say, then, that your lord was a false prophet? A. That is absolutely impossible, sir.

Q. You testified (XXIII : 26) that "as they led him away, they laid hold upon one Simon, a Cyrenian, coming out of the country, and on him they laid the cross, that he might bear it after Jesus." Is it not a fact that Jesus, like all other men condemned to crucifixion, carried his own cross? A. Simon was made to carry it.¹⁸⁶

Q. You stated (XXIII : 27), "And there followed him a great company of people, and of women, which also bewailed and lamented him." Is that correct? A. Yes, sir.

Q. And all these people you mentioned were within

hearing distance of Jesus? A. Yes, sir. (XXIII : 28).

Q. But you yourself testified (XXIII : 49, *infra*), as did the other two witnesses,¹⁸⁷ that the women and all his acquaintances who followed him from Galilee, stood afar off. Did they both follow him closely within hearing distance, and at the same time stand afar off? Are your traditions consistent, do you think? A. I don't know how to explain that, sir.

Q. You testified (XXIII : 5, 18, 21, 23), as did the other two witnesses for the Prosecution,¹⁸⁸ that the entire mob present at the so-called trial before Pilate, cruelly and unmercifully demanded that the prisoner be punished by crucifixion, the most horrible form of Roman execution, despite Pilate's pleas. And now you say (XXIII : 27) that a mob followed him and bewailed and lamented him. If it is the same mob, can you explain this sudden change in attitude? If not, where were these sympathetic men and women during the trial? Why didn't they interfere, especially when they would have had the encouragement and protection of Pilate? A. I do not know, sir.

Q. Isn't it remarkable that neither of the two other witnesses¹⁸⁹ mentioned anything about these sorrowful men and women, or about the prophecy of doom, destruction, and suffering of which you speak (XXIII : 27-31)? Surely they would not deliberately omit an important prophecy by their master? A. I cannot account for that, sir.

Q. You testified (XXIII : 28) that Jesus addressed the women as "daughters of Jerusalem." However, at another time you testified (XXIII : 49) that they were women who had followed him from Galilee. Aren't you again being inconsistent? A. That was my tradition, sir.

Q. It has been stated definitely by you (XXII : 22, 42-44) and by the other witnesses¹⁹⁰ that Jesus did not meet his fate with equanimity, and that he prayed to avert it, and was sorrowful even unto death, and that drops of blood, as it were, oozed from his body in his great agony. Do you wish to tell the Court and the jury, that now when he was being led to the cross, he was able to muster sufficient strength

to deliver a sermon, full of metaphoric expressions and similes, to the women of Jerusalem? A. Yes, sir.

Q. You testified in "Plaintiffs' Exhibit 3," (Chapter VII, verses 36-49), as did the other witnesses,¹⁹¹ that Jesus was seeking companionship and encouragement, and that he was even grateful to a reformed harlot for having extravagantly anointed him with precious oil, and for having displayed some tenderness toward him. Now, you testified that when he saw so many women following him and showing their sympathy toward him by shedding bitter tears, he spurned their kindness and foretold a horrible fate for them. Can you explain why he did this? A. I can add nothing to the traditions I received, sir.

Q. Do you know at what hour of the day they crucified Jesus? A. I do not.

Q. You have heard St. Peter testify¹⁹² that it was the third hour of the day when they crucified him, that is, at nine o'clock in the forenoon. Do you have any reason to believe otherwise? A. No, sir.

Q. Now, St. Luke, allow me to summarize briefly what is supposed to have occurred on the morning before the crucifixion, according to the testimony we have heard in this Court. 1. There was a morning session of the Jewish court of law as soon as it was day, according to your testimony (XXII : 66), which could not have been earlier than either seven or eight o'clock in the morning.¹⁹³ 2. Then the Jewish judges took the prisoner to Pilate who made a brief investigation and sent him to the palace of Herod. 3. Herod examined the prisoner, dressed him in royal attire and sent him back to Pilate. 4. The Roman Procurator then summoned the elders of the people and the chief priests and the populace, which in itself must have taken some time, and had a rather lengthy discussion with them in order to convince them that the accused was innocent (XXII : 7-18). 5. According to the testimony of the other two witnesses,¹⁹⁴ they scourged the prisoner, and thereafter the soldiers took him in the common hall, inviting the rest of the cohort to be present, made sport of him, put a purple robe on him, paid him hom-

age, and worshipped him; then they took off the purple robe and put his own clothes on him. 6. Finally, they led him to Golgotha, some distance away from the walls of the Holy City.

Now, do you mean to tell the Court and the jury that all this was accomplished in approximately one hour at most, even if we overlook the speech the Nazarene made to the daughters of Jerusalem (XXIII : 28-31)? A. I am unable to account for that, sir.^{194a}

Q. Can you, St. Luke, explain to the Court and the jury the exact meaning of the expression you ascribed to the Nazarene (XXIII : 31), "For if they do these things in a green tree, what shall be done in the dry?" A. No, sir, I am unable to explain it.¹⁹⁵

Q. It is a most impressive scene that you describe (XXIII : 34): While nailed to the cross, the Nazarene, unmindful of his intense suffering and deep disappointment, was chiefly concerned with the fate of his persecutors. Afraid that his Father might mete out severe punishment to them that were guilty of shedding his innocent blood, he prayed for their forgiveness: "Father, forgive them; for they know not what they do." But, can you explain why the other witnesses saw fit to omit this superb gesture on the part of their master?¹⁹⁶ Shall we assume, then, that this was a mere fictional invention, and therefore unknown to the other witnesses for the Prosecution? A. No, sir; but I don't know why they omitted it.

Q. Now, St. Luke, do you wish us to believe that the Roman soldiers in their derision said, "If thou be the king of the Jews, save thyself"? What could a Roman pagan, then, mean when he said "king of the Jews"? Wouldn't he simply mean to say, in a sarcastic manner, of course, that the victim was a terrestrial ruler of the people, wielding the same power over the Jews as the Emperor did over the Romans? Would it occur to him to say, "If thou be the king of the Jews, save thyself"? Why would he expect the king of the Jews, any more than the Emperor of Rome, to possess supernatural power? Is it logical then to accept a tradition

that the Roman soldiers employed such an expression in their mockery of Jesus? A. I was not concerned with logic, sir.

Q. According to your testimony (XXIII : 36), the Roman soldiers mocked the Nazarene while on the cross, and offered him vinegar as a part of their mockery. Isn't your statement inconsistent in itself, St. Luke? If the soldiers taunted Jesus, why did they show kindness to him by offering him vinegar?¹⁹⁷ A. I cannot explain that.

Q. You testified (XXIII : 38) that the superscription written over the head of Jesus, that was displayed in view of all who passed by, read, "THIS IS THE KING OF THE JEWS." St. Matthew testified¹⁹⁸ that it read, "THIS IS JESUS THE KING OF THE JEWS," And St. Peter testified¹⁹⁹ that it read, "THE KING OF THE JEWS." Can't you agree about even a brief superscription written plainly over the head of the victim? A. I cannot explain this, sir.

Q. According to your testimony (XXIII : 39), only one of the malefactors who were crucified together with the Nazarene reviled him. However, the other two witnesses testified²⁰⁰ that both malefactors mocked him. Which of you is telling the truth?²⁰¹ A. I faithfully recorded my tradition, sir.

Q. You testified (XXIII : 40-41) that the other thief rebuked the first one, while both were hanging on the cross. He justified his own condemnation and admitted that he had deserved the punishment meted out to him by the Roman authorities, but he defended the Nazarene and argued with his fellow. Is it probable that a dying man, nailed to a cross and suffering the most horrible torture devised by human devilry, bleeding and parched with thirst, would indulge in speeches and argue in so calm and sophisticated a manner? Is this natural and believable? A. To my mind it is.

Q. And you stated (XXIII : 42) that now the sermonizing thief turned to the Nazarene, and, addressing him as "Lord," begged to be remembered by him when he would come to his kingdom. Would a common thief have any conception of the real import and meaning of the expression "kingdom of God"? Did he become aware of its meaning

while hanging on the cross? What could that expression have meant to him, when he saw his lord, like himself, hanging on the cross? Did he then conceive the idea, not even understood by the Apostles, that after the crucifixion the Nazarene would really become glorified and become a sort of god himself? How can you overcome the fact that this theory expressed by the thief on the cross, was a theologian's thought of much later coinage?²⁰² A. I am unable to explain this tradition, sir.

Q. What did Jesus say to the repentant thief? A. He said to him, "Verily I say unto thee, Today thou shalt be with me in paradise" (XXIII : 43).

Q. To your knowledge, St. Luke, are the terms "paradise" and "kingdom of heaven" synonymous? If they are not, then the reply of the Nazarene did not signify compliance with the request made by the thief. The thief wanted some recognition in the "kingdom of heaven" for his belief in the Nazarene's innocence. But what did Jesus promise him? He told him that he would be with him in paradise, not in the kingdom of heaven. Why this substitution by Jesus? A. I don't know, sir.²⁰³

Q. The other two witnesses make no mention at all of these conversations between the two thieves and between one thief and Jesus.²⁰⁴ How can you account for that omission? Wouldn't they have recorded it if they had known of it?²⁰⁵ On the contrary, did not both Evangelists directly contradict you by stating that both thieves reviled your lord? A. I cannot explain all that.

Q. Why, in your opinion, St. Luke, did the thief merit such a reward? Was it simply because he had admitted that he was guilty and deserving of his punishment? Or, was it because he had said that the Nazarene was innocent?²⁰⁶ A. Both, I guess.

Q. According to your testimony, the Nazarene, even when nailed to the cross, still believed in his godly powers, and that he could assure the thief a place in paradise. But you have heard the other two witnesses testify²⁰⁷ that Jesus was discouraged and despondent when he was on the cross.

It was his impression that his Father had forsaken him completely, and he cried out: "My God, my God, why hast thou forsaken me?" Isn't this inconsistent with the impression you wish to convey about the Nazarene? A. Yes, sir; but that was my tradition.

Q. You testified (XXIII : 45) that, while the Nazarene was on the cross, "the sun was darkened." In your opinion what was the reason for this portent? A. It was perhaps to convince the world that Jesus was His Son;²⁰⁸ it might also have served as a protest against the unjust condemnation of His Son.

Q. According to your testimony (XXIII : 45), the veil of the temple was rent in the midst. But you are contradicting what you have heard the other two saintly witnesses testify²⁰⁹ that the temple veil was rent "after" Jesus had given up his soul, and not "before" as you averred (verses 45, 46). How can you explain this difference? A. I wrote according to my tradition, sir.

Q. Allow me to repeat exactly what you, the three witnesses for the Prosecution, testified about the portents that are supposed to have occurred while Jesus was suffering on the cross, and immediately thereafter. St. Matthew testified²¹⁰ that there was darkness from noon to three o'clock in the afternoon. The Nazarene cried out twice with a loud voice, and then gave up his ghost. And the following portents occurred immediately thereafter: the veil of the temple was rent in twain, the earth quaked, the rocks were rent, the graves of the saints were opened and many bodies of the saints arose, and after the resurrection of Jesus, those dead bodies went into the City of Jerusalem and appeared unto many people.

St. Peter testified²¹¹ that there was darkness from noon till three o'clock in the afternoon; that the Nazarene then cried out twice, after which he gave up his ghost. Thereafter only one portent occurred, the rending of the veil of the temple.

You, St. Luke, have a different story to tell. You say that two portents occurred, the darkness and the rending of

the veil of the temple, and that both happened before the death of the Nazarene. Thus, no two of you agree as to the number of portents and as to when they occurred. Who of you, do you think, is telling the truth? A. I recorded honestly and faithfully the tradition I received.²¹²

Q. How many times did the Nazarene cry out with a loud voice while on the cross? A. Only once, sir.

Q. And what did he say when he cried out that once? A. He said, "Father, into thy hands I commend my spirit" (XXIII : 46).

Q. And when did he cry out those words? A. Immediately before he gave up his ghost.

Q. You know, of course, that the other two Synoptic witnesses deny this. They testified that Jesus cried out twice: first, to say, "Eli, eli, lama sabachthani," and the second time, just before his death, uttering a wordless outcry of agony and disappointment.²¹³ Have you any explanation for the discrepancy? A. No, sir.

Q. Did anybody offer the Nazarene a sponge filled with vinegar at this time, as you have heard the other Synoptists testify,²¹⁴ and did anybody speak at the cross about the Nazarene's calling for Elijah to come?²¹⁵ A. No, sir, not to my knowledge.

Q. To your knowledge, St. Luke, did Jesus while on the cross carry on some conversation with an unnamed disciple who was standing at the cross, concerning his mother who likewise stood at the cross? A. Not to my knowledge, sir.²¹⁶

Q. Can you tell the Court and the jury what the Roman centurion saw that made him glorify God (XXIII : 47)? A. The darkness and the eclipse of the sun.²¹⁷

Q. This Roman executioner was a pagan. What would he understand of the glorification of God? Had he any concept at all of God in heaven? What would he know about the divinity of Jesus? A. That was one of the miracles, sir.²¹⁸

Q. And what did he say about the Nazarene when he glorified God? A. He said, "Certainly this was a righteous man."

Q. But the other two witnesses testified in this Court²¹⁹ that the centurion said, "Truly this man was the Son of God." According to them, the centurion acknowledged that Jesus was the Christ, the only begotten son of God, and not merely that he was a righteous man, as you testified. They claim that the pagan Roman centurion ascribed divinity to the Nazarene. Do you wish to stand contradicted and claim that he admitted only that Jesus was a "righteous man"? A. That was my tradition, sir, and I have nothing to add.

Q. Are you certain, St. Luke, that it was only the centurion that arrived at this conclusion, and not any of the other soldiers that were with him, as was testified by St. Matthew?²²⁰ A. Only the centurion, sir.

Q. When offering their testimony in this Court, neither St. Matthew nor St. Peter²²¹ mentioned the very important incident to which you testified (XXIII : 48), that the on-lookers smote their breasts, apparently as an expression of deep grief and mental anguish, when they beheld "the things that were done."²²² Can you explain why they saw fit to omit this significant occurrence? A. No, sir.

Q. Where did you obtain your information, then? A. From my divine inspiration, sir?²²³

Q. When you speak of "all the people that came together" (XXIII : 48), do you refer to the multitude that originally came from Jerusalem with the Jewish authorities? A. Yes, sir.

Q. But this very mob was so bloodthirsty and brutal, just a few hours ago, that they had insisted that the prisoner be crucified (XXIII : 18, 21, 23). What had occurred in the meantime that put mercy in their hearts so that they now smote their breasts in remorse? A. The conduct of Jesus must have impressed them as it did the Roman centurion.

Q. Do you know what time of the day it was that Jesus gave up his ghost? A. It must have been after the ninth hour of the day, that is, after three o'clock in the afternoon (verse 44, *supra*).²²⁴

Q. And you wish us to believe that at that hour a multitude of Jewish men and women were still lingering about the

scene of execution, in spite of the fact that it was the first day of Passover, and on Friday when preparations had to be made for the Sabbath and when cooking and baking were strictly forbidden after the six-o'clock sunset? A. Nevertheless, according to my tradition, they were still present.

Q. In your testimony (XXIII : 49) you specifically mention the "women that followed him from Galilee." What became of the great multitude of women that had followed Jesus from Jerusalem and lamented him (verse 27-28, *supra*)? A. Perhaps those people returned home, while the Galileans remained.

Q. Did your divine inspiration disclose to you why the women from Jerusalem left and the women from Galilee remained? A. No, sir.

Q. In describing Joseph of Arimathaea (XXIII : 50), you stated that he was "a counsellor." Do you mean to convey by this that he was a member of the Great Sanhedrin? A. Yes, sir.²²⁵

Q. You testified (XXIII : 51) that this Joseph "had not consented to the counsel and deed of them." Can you explain to the Court and the jury the exact meaning of this expression? Does it mean that he absented himself, or abstained from voting, or voted in opposition to the sentence? A. I really don't know, sir.²²⁶

Q. Do you know whether there was any other member of the Great Sanhedrin who disagreed with the verdict? A. My tradition failed to disclose anyone else.²²⁷

Q. To your knowledge, was Joseph a disciple of Jesus, as you have heard St. Matthew testify in this Court? A. According to my tradition, Joseph waited for the kingdom of God; but there was no mention made that he was my lord's disciple.²²⁸

Q. If it were brought to the attention of the Jewish rulers that Joseph of Arimathaea was a member of the Nazarene's circle, one of his disciples, would he be permitted to hold a seat in the highest judicial body in Jerusalem? A. Of course not.²²⁹

Q. When you say that Joseph waited for the kingdom of God, does it mean that he waited for the Messianic kingdom? A. Yes, sir.

Q. But it does not necessarily mean to imply that he recognized Jesus as the Messiah? A. No, sir.²³⁰

Q. When Joseph asked for the body of Jesus, did Pilate marvel whether Jesus was already dead, and did he send for the centurion to certify this fact, as St. Peter testified?²³¹

A. My tradition did not disclose that.

Q. To your knowledge, St. Luke, did the Jews request Pilate that the legs of those that were crucified be broken to accelerate their death?²³² A. Not according to my divine inspiration.

Q. Is it not a fact, St. Luke, that one of the Roman soldiers had pierced the side of the Nazarene with a spear, and blood and water issued forth?²³³ A. Had such a miracle reached my ears, I would not have omitted it from my records, sir.

Q. Was Joseph able to remove Jesus' body from the cross all by himself? Wasn't there anybody else with him to attend to the body of Jesus and lay it to rest? A. To my knowledge, Joseph was alone.

Q. Wasn't there a certain Nicodemus who helped Joseph remove the body from the cross, and who had brought with him one hundred pounds of a mixture of myrrh and aloes to be put in Jesus' shrouds? A. Not according to my tradition, sir.²³⁴

Q. To your knowledge, did Joseph roll a great stone to the door of the sepulchre? A. No, sir.²³⁵

Q. Once before you testified (XXII : 7-14) that that Friday was the first day of Passover. But now you describe this day merely as "the day of preparation" (XXIII : 54), an ordinary Friday on which the preparations for the Sabbath had to be made. Why didn't you describe it by the more important fact that it was the first day of Passover?²³⁶ A. It was an oversight, I presume.

Q. Who were those women who had come with Jesus

from Galilee, and now watched where the body was laid (XXIII : 55)? A. I don't exactly know; there were many of them that had come with him.

Q. But you have heard the other saintly witnesses testify that only two Marys beheld where he was laid. Do you still insist that there were many women present?²³⁷ A. I cannot repudiate my divine inspiration, sir.

Q. You testified (XXIII : 56) that those women, upon returning home from the sepulchre, prepared spices and ointments. Do you know to what purpose they prepared these spices and ointments? A. For the purpose of anointing the body of Jesus on the following Sunday (XXIV : 1).

Q. According to your testimony (XXIII : 56), those women were religious Jews who observed the Sabbath according to the Law of Moses. Is that right? A. Yes, sir.

Q. All witnesses for the Prosecution testified²³⁸ that Jesus gave up his ghost after three o'clock in the afternoon. Then Joseph went to Pilate to obtain permission to bury the body of Jesus. Joseph left Pilate's palace which was in Jerusalem and went to Golgotha to remove the body from the cross. He then wrapped the body in fine linen and carried it to some place where the sepulchre was situated. The women who had been watching all this, following Joseph wherever he went, now returned to their homes in Jerusalem. Do you mean to tell the Court and the jury that those women still had enough time left to prepare the spices and the ointments before sunset, without actually profaning the Sabbath?²³⁹ A. Apparently they were able to do so.²⁴⁰

Q. Are you certain that those women prepared the spices and the ointments themselves, and that they did not buy them "when the Sabbath was passed," as St. Peter testified?²⁴¹ A. Yes, sir.

Q. To your knowledge, did the Jewish authorities come to Pilate on the following day, on the Sabbath after the crucifixion, and ask permission to make the sepulchre of Jesus secure, as you have heard St. Matthew testify?²⁴² A. No, sir.

Q. You stated (XXIV : 1) that certain women came to the sepulchre on Sunday very early in the morning. Does

that mean at deep dawn, or at the earliest morning twilight?²⁴³

A. As soon as it began to grow light, sir.

Q. Do you know who those women were? Were they Mary Magdalene, and Joanna, and Mary the mother of James? A. Yes, sir. (XXIV : 10).

Q. Wasn't there with them a certain woman called Salome, as St. Peter testified?²⁴⁴ A. Not according to my tradition.

Q. How many angels did those women find standing by them? A. There were two angels (XXIV : 4).

Q. And where were those angels? A. Inside the sepulchre (XXIV : 3-4).

Q. Now, St. Luke, you have heard St. Matthew state²⁴⁵ that there was only one angel who was sitting outside the sepulchre on the stone which he had rolled away. St. Peter²⁴⁶ too, has only one angel, but he was sitting inside the sepulchre. You, however, disagree with both of them, and you contend that there were two angels and both of them were inside the sepulchre. Whose account should, then, be considered authentic? A. I was faithful to my tradition, sir.

Q. You stated (XXIV : 6-8) that the two angels said to the women: "Remember how he spake unto you when he was yet in Galilee, Saying, The Son of man must be delivered into the hands of sinful men, and be crucified, and the third day rise again. And they remembered his words." Once before you testified (IX : 12) that your lord had made such a prophecy, but that it had been made only to his twelve chosen disciples (*l. c.* 18 ff.). The angels, then, according to your testimony, spoke an untruth when they told the women that Jesus had made such a prophecy to them, for he had never spoken of it to them? A. No angel can tell a lie, sir.

Q. But you, too, told an untruth, when you averred, "and they remembered." How could the Galilean women remember words unspoken to them?²⁴⁸ A. At times, mortals are unable to explain divine inspirations.

Q. Did the angels instruct the women to go and tell the disciples that Jesus had risen and that he would go before them in Galilee, as you have heard St. Matthew and St. Peter

testify?²⁴⁹ A. No, sir. The women went of their own initiative and told this to the eleven disciples (XXIV : 9).

Q. Who were those women that were informed of the resurrection by the angels? A. Mary Magdalene, Joanna, Mary the mother of James, and the other women that were with them (XXIV : 10).

Q. You have heard St. Matthew testify²⁵⁰ that there were only two women, Mary Magdalene and the other Mary, who came to visit the sepulchre on Sunday morning. St. Peter stated²⁵¹ that there were three women: Mary Magdalene, Mary the mother of James, and Salome. Are you certain that there were the two Marys, and Joanna, and many other women? A. This was my tradition, sir.

Q. You have heard St. Peter testify²⁵² that these women were so astonished by the words of the angel that they were afraid to say anything about the incident to anybody. Do you still insist that these women, without fear or amazement, went and told the disciples about it? A. Yes, sir; that was my tradition (XXIV : 9-10).

Q. You testified (XXIV : 12) that Peter ran to the sepulchre, entered, and found the clothes of Jesus, but not the body. Neither St. Matthew nor St. Peter himself mentioned that in their testimony.²⁵³ Do you still maintain that your tradition had it that Peter actually ran to the sepulchre? A. Yes, sir.

Q. Those two men that went to the village Emmaus that same day (XXIV : 13) were not of the group of eleven disciples, were they? A. No, sir (XXIV : 33).²⁵⁴

Q. The account regarding these two disciples who met Jesus on the way and his conversation with them, was not mentioned by the other witnesses for the Prosecution. Do you maintain that your version is authentic? A. Yes, sir.

Q. You testified (XXIV : 16) that the eyes of the two "were holden that they should not know him." In other words, you wish to convey by this, that their inability to recognize Jesus was the result of Divine Will. Can you explain to the Court and the jury why this was necessary? Why did not Jesus make himself known in the first place,

without disguising himself?²⁵⁵ A. I am unable to explain these theological mysteries, sir.

Q. You testified (XXIV : 24) that those men told Jesus that "certain of them went to the sepulchre, but him they saw not." Isn't this self-contradictory, St. Luke? Didn't you testify before (XXIV : 12) that only St. Peter went to the sepulchre? A. I cannot account for this seeming discrepancy, sir.

Q. You quoted your master as saying to the two disciples (XXIV : 25), "O fools." Now St. Matthew quoted Jesus as having said.²⁵⁶ "But whosoever shall say, Thou fool, shall be in danger of hell fire." Would you wish us to believe that Jesus failed to practice his own preaching? A. I believe that St. Matthew should be asked to reconcile this inconsistency.

Q. Do you happen to know where Moses and all the prophets speak about Jesus in their writings, as Jesus now stated to those two men whom he met on the road to Emmaus (XXIV : 27)? A. No, sir. But there must be some mention if our lord said so.²⁵⁷

Q. You stated (XXIV : 31), "And their eyes were opened, and they knew him; and he vanished out of their sight." According to you, then, Providence willed it that at this point Jesus should become recognizable. For what purpose? Was it merely to be able to vanish more effectively? A. I am unable to explain the ways of the Almighty, sir.

Q. You testified (XXIV : 34) that the two men came to the eleven disciples in Jerusalem, and informed them that Jesus had appeared to Simon. Why didn't they at once say that he had appeared to them, instead of first mentioning the appearance to Simon? A. I cannot account for that.

Q. Besides, was not Peter among the eleven to whom the two imparted this information, and did he not know that Jesus had appeared to him, that he had to be apprised of the appearance by the two? A. I don't know how to explain this tradition, sir.

Q. To your knowledge, St. Luke, was Thomas Didymus included in the eleven? A. Of course, sir. Without him

there would have been only ten.²⁵⁸

Q. So, according to your testimony (XXIV : 33), it was those two men who informed the disciples of the resurrection the second time? A. Yes, sir.²⁵⁹

Q. You testified (XXIV : 36-44) that Jesus appeared to all the eleven disciples and greeted them. They were under the impression that they had seen a spirit. Wishing to convince them that he was no spirit, but Jesus in the flesh, he told them to touch his hands and his feet, and he also asked them for food and he ate the broiled fish and a honeycomb that they gave him. Wasn't this rather a vulgar method of convincing them? And, pray, what was the object of this demonstration? Did Jesus wish to convince them that his natural body of flesh would serve him as a mantle for his divine existence? Would it have diminished from the divine glory of Jesus, if he actually appeared to them in the form of a spirit, instead of in the flesh? Besides, did the body of Jesus actually require sustenance after the resurrection, that he now ate the food? A. It is somewhat difficult for me to explain all these fine theological points, sir.²⁶⁰

Q. According to your testimony (XXIV : 47), repentance and remission of sins was a new doctrine promulgated by Jesus and therefore was to be preached among the nations in his name. Is that correct? A. Yes, sir.²⁶¹

Q. To your knowledge, did Jesus ever appear to the eleven disciples somewhere in a mountain in Galilee? A. Not to my knowledge, sir.²⁶²

Q. Did he appear to some of the disciples at the Sea of Tiberias while they were fishing? A. No, sir.²⁶²

Q. Did the Jewish chief priests and the elders bribe the Roman soldiers to say that the body of Jesus had been stolen from the sepulchre, as was testified by St. Matthew?²⁶³ A. Not to my knowledge.

Q. When did Jesus lead his disciples to Bethany, as you testified (XXIV : 50)? A. It would seem that it was immediately after he had delegated the Apostles to preach the Gospel.

Q. And all the events that you have recorded as tak-

ing place after the resurrection, did they all occur on the same day, on the day of the resurrection? A. Yes, sir.

Q. But you are contradicting yourself, St. Luke. Once before you stated (Acts I : 3) that Jesus was seen throughout forty days. And now you assert that he ascended to heaven on the first day of his alleged resurrection. Can you reconcile these two statements?²⁶⁴ A. Statements recorded by divine inspiration, sir, need not be reconciled by mortals.

Q. To your knowledge, St. Luke, was St. Matthew among the eleven who witnessed the ascension of Jesus? A. He must have been.

Q. Do you know why St. Matthew saw fit not to mention this most important incident in his testimony? A. I really do not know why St. Matthew omitted this incident.²⁶⁵

Q. And when did Jesus finally come to sit on the right hand of God? A. I wouldn't be able to tell, sir.

Q. Is there any reason why you omitted St. Peter's statement that when he was received into heaven, "he sat on the right hand of God?"²⁶⁶ A. This was not included in my tradition.

Q. You testified (XXIV : 52-53) that the disciples "returned to Jerusalem, and were continually in the temple, praising and blessing God." Is it not a fact that the disciples feared the Jewish authorities and therefore assembled somewhere in Jerusalem behind closed doors?²⁶⁷ A. No, sir. According to my tradition, they all remained in the Temple.

Q. Can you explain the significance of the word "amen" at the end of your Gospel? A. No, sir, I am unable to explain that, sir.²⁶⁸

Mr. Ben Yahudah: That will be all. The witness is yours.

Mr. Christiani: No redirect examination. You may now step down, St. Luke.

The Court: Are there any other witnesses to be called on behalf of the Prosecution?

Mr. Christiani: Your Honor, the Prosecution has one more witness to be examined.

The Court: If you are ready, you may examine this witness now.

Direct and Cross-Examination of St. John

ST. JOHN (of Bethsaida, Galilee, Land of Israel), called as a witness on behalf of the Prosecution, being duly sworn, testified as follows:

Direct examination by Mr. Pablo Christiani.

Q. What is your name, please? A. John, the son of Zebedee, commonly known as St. John.

Q. Where do you reside? A. At Bethsaida, Province of Galilee, in the land of Israel.¹

Q. What is your occupation, please? A. A fisherman sir.²

Q. I show you this document, bearing the title, "The Gospel According to St. John," and ask you to state, after scrutinizing it very carefully, whether you can identify it as a document written by you. A. (After examining it carefully) Yes, sir, I recognize this document and identify it as an authentic record written by me.

Mr. Christiani: Your Honor, I offer this document, known as "The Gospel According to St. John," in evidence.

Mr. Hayyim Eliyahu ben Yehudah (after carefully examining the document): I have no objection, Your Honor, to its being introduced in evidence.

("The Gospel According to St. John" is received in evidence and identified as "Plaintiffs' Exhibit 4.")

(Direct examination resumed by Mr. Christiani:) Q. Now, St. John, I show you this document, marked "Plaintiffs' Exhibit 4," and ask you to tell us please whether the statements made by you therein are based upon what you personally saw and heard, or are they wholly or partly based on tradition and hearsay. A. Every statement made by me in this document is the Gospel truth, sir, based upon what I personally saw and heard.

Q. Can you, St. John, recall from memory the accounts you recorded in this document, or do you wish to refer to

the text to refresh your recollection? A. A long time has elapsed since this document was written, sir; I would prefer to read from the text.

Q. Very well, then. Now please tell the Court and the ladies and gentlemen of the jury about the crucifixion of our Lord Jesus Christ and about the incidents that occurred six days prior to the crucifixion. A. (The witness opens the document marked "Plaintiffs' Exhibit 4," and reads Chapter XII, verses 1-8:)

1 Then Jesus six days before the passover came to Bethany, where Lazarus was which had been dead, whom he raised from the dead.³ 2 There they made him a supper; and Martha served: but Lazarus was one of them that sat at the table with him. 3 Then took Mary a pound⁴ of ointment of spikenard, very costly, and anointed the feet of Jesus, and wiped his feet with her hair: and the house was filled with the odor of the ointment. 4 Then saith one of the disciples, Judas Iscariot, Simon's son, which should betray him, 5 Why was not this ointment sold for three hundred pence, and given to the poor? 6 This he said, not that he cared for the poor; but because he was a thief, and had the bag, and bare what was put therein.⁵ 7 Then said Jesus, Let her alone: against the day of my burying hath she kept this.⁶ For the poor always ye have with you; but me ye have not always.

Q. Were all the twelve disciples present at this supper, and were you one of them? A. Yes, sir.

Q. You may proceed and tell the Court and the jury of the incident that occurred after this anointing of Jesus. A. The next incident relates to the washing of the disciples' feet by Jesus, and his prediction of the betrayal of him by Judas. (The witness reads from "Plaintiffs' Exhibit 4," Chapter XIII, verses 1-35):

1 Now before the feast of the passover, when Jesus knew that his hour was come that he should depart out of this world, unto the Father, having loved his own which were in the world, he loved them unto the end. 2 And supper being ended,⁷ the devil having now put into the heart of

Judas Iscariot, Simon's son, to betray him; 3 Jesus knowing that the Father had given all things into his hands, and that he was come from God, and went to God;⁸ 4 He riseth from supper, and laid aside his garments; and took a towel and girded himself. 5 After that he poureth water into a bason, and began to wash the disciples' feet, and to wipe them with the towel wherewith he was girded.⁹ 6 Then cometh he to Simon Peter: and Peter saith unto him, Lord dost thou wash my feet? 7 Jesus answered and said unto him, What I do thou knowest not now; but thou shalt know hereafter. 8 Peter saith unto him, Thou shalt never wash my feet. Jesus answered him, If I wash thee not, thou hast no part with me. 9 Simon Peter saith unto him, Lord, not my feet only, but also my hands and my head. 10 Jesus saith unto him, He that is washed needeth not save to wash his feet, but is clean every whit: and ye are clean, but not all. 11 For he knew who should betray him; therefore said he, Ye are not all clean. 12 So after he had washed their feet, and had taken his garments, and was set down again, he said unto them, Know ye what I have done to you? 13 Ye call me Master and Lord: and ye say well; for so I am. 14 If I then, your Lord and Master, have washed your feet; ye also ought to wash one another's feet. 15 For I have given you an example, that ye should do as I have done to you. 16 Verily, verily, I say unto you, The servant is not greater than his lord; neither he that is sent greater than he that sent him. 17 If ye know these things, happy are ye if ye do them. 18 I speak not of you all: I know whom I have chosen: but that the scripture may be fulfilled, he that eateth bread with me hath lifted up his heel against me.¹⁰ 19 Now I tell you before it come, that, when it is come to pass, ye may believe that I am he. 20 Verily, verily, I say unto you, He that receiveth whomsoever I send receiveth him that sent me. 21 When Jesus had thus said, he was troubled in spirit,¹¹ and testified, and said, Verily, verily, I say unto you, that one of you shall betray me. 22 Then the disciples looked one on another, doubting of whom he spake. 23 Now there was leaning on Jesus' bosom one of his disciples, whom Jesus loved. 24 Simon Peter therefore beckoned to him, that he should ask who it should be of whom he spake. 25 He then lying on Jesus' breast saith unto him,

Lord, who is it? 26 Jesus answered, He it is, to whom I shall give a sop, when I have dipped it. And when he had dipped the sop, he gave it to Judas Iscariot, the son of Simon. 27 And after the sop Satan entered into him. Then said Jesus unto him, That thou doest, do quickly. 28 Now no man at the table knew for what intent he spake this unto him. 29 For some of them thought, because he had the bag, that Jesus had said unto him, Buy those things that we have need of against the feast, or, that he should give something to the poor. 30 He then having received the sop went immediately out: and it was night.¹² 31 Therefore, when he was gone out, Jesus said, Now is the Son of man glorified, and God is glorified in him. 32 If God be glorified in him, God shall also glorify him in himself, and shall straightway glorify him. 33 Little children, yet a little while I am with you. Ye shall seek me: and as I said unto the Jews, whither I go, ye cannot come; so now I say unto you. 34 A new commandment I give unto you, That ye love one another; as I have loved you, that ye also love one another. 35 By this shall all men know that ye are my disciples, if ye have love one to another.

Q. As one of the twelve disciples, St. John, you, too, were present at that supper with your master Jesus? A. Of course, sir.

Q. And the lord washed your feet also? A. Certainly.

Q. Please proceed and tell the Court and the jury what happened after this. A. The next incident was our lord's prediction of Peter's denial of him. (The witness reads XIII : 36-38:)

36 Simon Peter said unto him, Lord, whither goest thou? Jesus answered him, Whither I go, thou canst not follow me; but shalt follow me afterwards. 37 Peter said unto him, Lord, why can I not follow thee now? I will lay down my life for thy sake.¹³ 38 Jesus answered him, Wilt thou lay down thy life for my sake? Verily, verily, I say unto thee, The cock shall not crow, till thou hast denied me thrice.

Q. Now, St. John, did you witness the arrest of our Lord Jesus Christ? A. Yes, sir, I did.

Q. Please tell the Court and the jury how the arrest was brought about. A. Certainly, sir. It was brought about in this fashion. (The witness reads XVIII : 1-12:)

1 When Jesus had spoken these words he went forth with his disciples over the brook of Cedron, where there was a garden, into the which he entered, and his disciples. 2 And Judas also, which betrayed him knew the place: for Jesus oft times resorted thither with his disciples.¹⁴ 3 Judas then, having received a band of men¹⁵ and officers from the chief priests and Pharisees, cometh thither with lanterns¹⁶ and torches and weapons. 4 Jesus therefore, knowing all things that should come upon him, went forth, and said unto them, Whom seek ye? 5 They answered him, Jesus of Nazareth. Jesus saith unto them, I am he. And Judas also, which betrayed him, stood with them. 6 As soon then as he had said unto them, I am he, they went backward and fell to the ground. 7 Then asked he them again, Whom seek ye? And they said, Jesus of Nazareth. 8 Jesus answered, I have told you that I am he: if therefore ye seek me, let these go their way: 9 That the saying might be fulfilled, which he spake, Of them which thou gavest me have I lost none. 10 Then Simon Peter having a sword drew it, and smote the high priest's servant, and cut off his right ear. The servant's name was Malchus. 11 Then said Jesus unto Peter, Put up thy sword into the sheath: the cup which my Father hath given me, shall I not drink it? 12 Then the band and the captains¹⁵ and officers of the Jews took Jesus and bound him.

Q. Please tell us where they took Jesus after the arrest. A. Yes, sir. (The witness reads XVIII : 13-27:)

13 And led him away to Annas first;¹⁷ for he was the father in law of Caiaphas, which was the high priest that same year. 14 Now Caiaphas was he, which gave counsel to the Jews that it was expedient that one man should die for the people. 15 And Simon Peter followed Jesus and so did another disciple: that disciple was known unto the high priest, and went in with Jesus into the palace of the high priest. 16 But Peter stood at the door without. Then went out that other disciple, which was known to the high priest, and spake unto her that kept the door, and brought

in Peter. 17 Then saith the damsel that kept the door unto Peter, Art not thou also one of this man's disciples? He saith, I am not. 18 And the servants and officers stood there, who had made a fire of coals; for it was cold: and they warmed themselves: and Peter stood with them, and warmed himself.¹⁸ 19 The high priest then asked Jesus of his disciples, and of his doctrine. 20 Jesus answered him, I spake openly to the world: I ever taught in the synagogue, and in the temple, whither the Jews always resort; and in secret have I said nothing. 21 Why askest thou me? ask them which heard me, what I have said unto them: behold, they know what I said. 22 And when he had thus spoken, one of the officers which stood by struck Jesus with the palm of his hand, saying, Answerest thou the high priest so? 23 Jesus answered him, If I have spoken evil, bear witness of the evil; but if well, why smitest thou me?¹⁹ 24 And Annas had sent him bound unto Caiaphas the high priest. 25 And Simon Peter stood and warmed himself.²⁰ They said therefore unto him, Art not thou also one of his disciples? He denied it, and said, I am not. 26 One of the servants of the high priest, being his kinsman whose ear Peter cut off, saith, Did not I see thee in the garden with him? 27 Peter denied again: and immediately the cock crew.

Q. Who was that other disciple who was known to the high priest? A. It was I, sir.²¹

Q. Please proceed. A. The trial before Pontius Pilate followed. (The witness reads XVIII : 28-40 and XIX : 1-16:)

28 Then led they Jesus from Caiaphas unto the hall of judgment: and it was early;²² and they themselves went not into the judgment hall, lest they should be defiled; but that they might eat the passover. 29 Pilate went out unto them, and said, What accusation bring ye against this man? 30 They answered and said unto him, If he were not a malefactor, we would not have delivered him up unto thee. 31 Then said Pilate unto them, Take ye him, and judge him according to your law. The Jews therefore said unto him, It is not lawful for us to put any man to death: 32 That the saying of Jesus might be fulfilled, which he spake, signifying what death he should die. 33 Then Pilate en-

tered into the judgment hall again, and called Jesus, and said unto him, Art thou the king of the Jews? 34 Jesus answered him, Sayest thou this thing of thyself, or did others tell thee of me? 35 Pilate answered, Am I a Jew? Thine own nation and the chief priests have delivered thee unto me: what hast thou done? 36 Jesus answered, My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now is my kingdom not from hence. 37 Pilate therefore said unto him, Art thou a king then? Jesus answered, Thou sayest that I am a king. To this end was I born, and for this cause came I into the world, that I should bear witness unto the truth. Every one that is of the truth heareth my voice. 38 Pilate saith unto him, What is truth? And when he had said this, he went out again unto the Jews, and saith unto them, I find in him no fault at all. 39 But ye have a custom, that I should release unto you one at the passover; will ye therefore that I release unto you the king of the Jews?⁴⁰ Then cried they all again, saying, Not this man, but Barabbas. Now Barabbas was a robber.

CHAPTER XIX

1 Then Pilate therefore took Jesus, and scourged him. 2 And the soldiers platted a crown of thorns, and put it on his head, and they put on him a purple robe. 3 And said, Hail, king of the Jews!²³ and they smote him with their hands. 4 Pilate therefore went forth again, and saith unto them, Behold, I bring him forth to you, that ye may know that I find no fault in him. 5 Then came Jesus forth, wearing the crown of thorns, and the purple robe. And Pilate saith unto them, Behold the man!²⁴ 6 When the chief priests therefore and the officers saw him, they cried out, saying, Crucify him, crucify him. Pilate saith unto them, Take ye him, and crucify him: for I find no fault in him. 7 The Jews answered him, We have a law, and by our law he ought to die, because he made himself the Son of God. 8 When Pilate therefore heard that saying, he was the more afraid; 9 And went again into the judgment hall, and saith unto Jesus, Whence art thou? But Jesus gave him no answer. 10 Then saith Pilate unto him, Speakest thou

not unto me? knowest thou not that I have power to crucify thee, and have power to release thee? 11 Jesus answered, Thou couldst have no power at all against me, except it were given thee from above: therefore he that delivered me unto thee hath the greater sin. 12 And from thenceforth Pilate sought to release him: but the Jews cried out, saying, If thou let this man go, thou art not Caesar's friend: whosoever maketh himself a king speaketh against Caesar. 13 When Pilate therefore heard that saying, he brought Jesus forth, and sat down in the judgment seat in a place that is called the Pavement, but in the Hebrew Gabbatha.²⁵ 14 And it was the preparation of the passover, and about the sixth hour: and he saith unto the Jews, Behold your king!²⁶ 15 But they cried out, Away with him, crucify him. Pilate saith unto them, Shall I crucify your king? The chief priests answered, We have no king but Caesar. 16 Then delivered he him therefore unto them²⁷ to be crucified. And they took Jesus and led him away.

Q. Now please tell the Court and the jury where they took Jesus after this. A. They took him out to be crucified. (The witness reads XIX : 17-37:)

17 And he bearing the cross went forth into a place called the place of a skull, which is called in Hebrew Golgotha: 18 Where they crucified him, and two other with him, on either side one, and Jesus in the midst. 19 And Pilate wrote a title and put it on the cross. And the writing was, JESUS OF NAZARETH THE KING OF THE JEWS. 20 This title then read many of the Jews: for the place where Jesus was crucified was nigh to the city: and it was written in Hebrew, and Greek, and Latin. 21 Then said the chief priests of the Jews²⁸ to Pilate, Write not, the King of the Jews; but that he said, I am King of the Jews. 22 Pilate answered, What I have written, I have written. 23 Then the soldiers, when they had crucified Jesus, took his garments, and made four parts, to every soldier a part; and also his coat: now the coat was without seam, woven from the top throughout. 24 They said therefore among themselves, Let us not rend it, but cast lots for it, whose it shall be: that the scripture might be fulfilled, which saith, They parted my raiment among them, and for my vesture

they did cast lots.²⁹ These things therefore the soldiers did. 25 Now there stood by the cross of Jesus his mother, and his mother's sister, Mary the wife of Cleophas, and Mary Magdalene. 26 When Jesus therefore saw his mother, and the disciple standing by, whom he loved, he saith unto his mother, Woman,³⁰ behold thy son! 27 Then saith he to the disciple, Behold thy mother! And from that hour that disciple took her into his own home.³¹ 28 After this, Jesus knowing that all things were now accomplished, that the scripture might be fulfilled, saith, I thirst.³² 29 Now there was set a vessel full of vinegar: and they filled a sponge with vinegar,³³ and put it upon hyssop, and put it to his mouth. 30 When Jesus therefore had received the vinegar, he said, It is finished: and he bowed his head, and gave up his ghost.³⁴ 31 The Jews therefore, because it was the preparation, that the bodies should not remain upon the cross on the Sabbath day, (for that Sabbath day was an high day,) besought Pilate that their legs might be broken, and that they might be taken away.³⁵ 32 Then came the soldiers, and brake the legs of the first, and of the other which was crucified with him. 33 But when they came to Jesus, and saw that he was dead already, they brake not his legs: 34 But one of the soldiers with a spear pierced his side, and forthwith came there out blood and water.³⁶ 35 And he that saw it bare record, and his record is true: and knoweth that he said true, that ye might believe. 36 For these things were done, that the scripture should be fulfilled, a bone of him shall not be broken.³⁷ 37 And again another scripture saith, They shall look on him whom they pierced.

Q. Please tell the Court and the jury what took place after the crucifixion of Jesus. A. (The witness reads XIX : 38-42:)

38 And after this Joseph of Arimathaea, being a disciple of Jesus, but secretly for fear of the Jews, besought Pilate that he might take away the body of Jesus: and Pilate gave him leave. He came therefore and took the body of Jesus. 39 And there came also Nicodemus³⁸ which at first came to Jesus by night, and brought a mixture of myrrh and aloes, about an hundred pound weight. 40 Then took they the body of Jesus, and wound it in linen clothes

with the spices, as the manner of the Jews is to bury.³⁹
41 Now in the place where he was crucified there was a garden; and in the garden a new sepulchre, wherein was never man yet laid. 42 There laid they Jesus therefore because of the Jews' preparation day;⁴⁰ for the sepulchre was nigh at hand.

Q. Now, St. John, please tell what happened after the burial of Jesus. A. Then came the resurrection of our lord. (The witness reads XX : 1-18:)

1 The first day of the week cometh Mary Magdalene early, when it was dark, unto the sepulchre, and seeth the stone taken away from the sepulchre. 2 Then she runneth, and cometh to Simon Peter, and to the other disciple, whom Jesus loved, and saith unto them, They have taken away the Lord out of the sepulchre, and we know not where they have laid him. 3 Peter therefore went forth, and that other disciple, and came to the sepulchre. 4 So they ran both together: and the other disciple did outrun Peter, and came first to the sepulchre. 5 And he stooping down, and looking in, saw the linen clothes lying; yet went not in. 6 Then cometh Simon Peter following him, and went into the sepulchre, and seeth the linen clothes lie, 7 And the napkin that was about his head, not lying with the linen clothes, but wrapped together in a place by itself. 8 Then went in also that other disciple, which came first to the sepulchre, and he saw, and believed. 9 For as yet they knew not the scripture, that he must rise again from the dead. 10 Then the disciples went away again unto their own home. 11 But Mary stood without at the sepulchre weeping: and as she wept, she stooped down, and looked into the sepulchre. 12 And seeth two angels in white sitting, the one at the head, and the other at the feet, where the body of Jesus had lain. 13 And they said unto her, Woman, why weepest thou? She saith unto them, Because they have taken away my Lord, and I know not where they have laid him. 14 And when she had thus said, she turned herself back, and saw Jesus standing, and knew not that it was Jesus. 15 Jesus saith unto her, Woman, why weepest thou? whom seekest thou? She, supposing him to be the gardener, saith unto him, Sir, if thou have

borne him hence, tell me where thou hast laid him, and I will take him away. 16 Jesus saith unto her, Mary. She turned herself, and saith unto him, Rabboni;⁴¹ which is to say, master. 17 Jesus saith unto her, Touch me not; for I am not yet ascended to my Father:⁴² but go to my brethren, and say unto them, I ascend unto my Father, and your Father;⁴³ and to my God, and your God. 18 Mary Magdalene came and told the disciples that she had seen the Lord, and that he had spoken these things unto her.

Q. Now, St. John, please tell the Court and the jury whether you were among those to whom Mary Magdalene brought news of the lord's resurrection. A. Yes, sir, I was one of them.

Q. What happened after this? A. Our lord appeared to the disciples. (The witness reads XX : 19-31:)

19 Then the same day at evening, being the first day of the week, when the doors were shut where the disciples were assembled for fear of the Jews, came Jesus and stood in the midst, and said unto them, Peace be unto you. 20 And when he had so said, he shewed his hands and his side.⁴⁴ Then were the disciples glad when they saw the Lord. 21 Then said Jesus unto them again, Peace be unto you: as my Father hath sent me, even so send I you. 22 And when he had said this, he breathed on them,⁴⁵ and saith unto them, Receive ye the Holy Ghost. 23 Whose soever sins ye remit, they are remitted unto them; and whose soever sins ye retain, they are retained. 24 But Thomas, one of the twelve, called Didymus, was not with them when Jesus came. 25 The other disciples therefore said unto him, We have seen the Lord. But he said unto them, Except I shall see in his hands the print of the nails, and put my finger into the print of the nails, and thrust my hand into his side, I will not believe. 26 And after eight days again his disciples were within, and Thomas with them: then came Jesus, the doors being shut, and stood in the midst, and said, Peace be unto you. 27 Then saith he to Thomas, Reach hither thy finger, and behold my hands; and reach hither thy hand, and thrust it into my side: and be not faithless, but believing. 28 And Thomas answered and said unto him, My Lord and my God.⁴⁶ 29 Jesus saith

unto him, Thomas, because thou hast seen me, thou hast believed: blessed are they that have not seen, and yet have believed. 30 And many other signs truly did Jesus in the presence of his disciples, which are not written in this book: 31 But these are written, that ye might believe that Jesus is the Christ, the Son of God;⁴⁷ and that believing ye might have life through his name.

Q. St. John, were you present at these two occasions when Jesus appeared to his disciples? A. Yes, sir, I was.

Q. What happened after this? A. Our lord appeared to some of his disciples at the sea of Tiberias. (The witness reads Chapter XXI:)

1 After these things Jesus shewed himself again to his disciples at the sea of Tiberias; and on this wise shewed he himself. 2 There were together Simon Peter, and Thomas called Didymus, and Nathanael of Cana in Galilee, and the sons of Zebedee, and two other of his disciples.⁴⁸ 3 Simon Peter saith unto them, I go a fishing. They said unto him, We also go with thee. They went forth, and entered into a ship immediately; and that night they caught nothing. 4 But when the morning was now come, Jesus stood on the shore: but the disciples knew not that it was Jesus.⁴⁹ 5 Then Jesus said unto them, Children, have ye any meat? They answered him, No. 6 And he said unto them, Cast the net on the right side of the ship, and ye shall find. They cast therefore, and now they were not able to draw it for the multitude of fishes. 7 Therefore that disciple whom Jesus loved saith unto Peter, It is the Lord. Now when Simon Peter heard that it was the Lord, he girt his fisher's coat unto him, (for he was naked,) and did cast himself into the sea. 8 And the other disciples came in a little ship; (for they were not far from land, but as it were two hundred cubits,) dragging the net with fishes. 9 As soon as they were come to land, they saw a fire of coals there, and fish laid thereon, and bread. 10 Jesus saith unto them, Bring of the fish which ye have now caught. 11 Simon Peter went up, and drew the net to land full of great fishes, an hundred and fifty and three: and for all there were so many, yet was not the net boken. 12 Jesus saith unto them, Come and dine. And none of the disciples durst ask him, who

art thou? knowing that it was the Lord.⁵⁰ 13 Jesus then cometh, and taketh bread, and giveth them, and fish likewise. 14 This is now the third time that Jesus shewed himself to his disciples, after that he was risen from the dead. 15 So when they had dined, Jesus saith to Simon Peter, Simon, son of Jonas, lovest thou me more than these?⁵¹ He saith unto him, Yea, Lord; thou knowest that I love thee: He saith unto him, Feed my lambs. 16 He saith to him again the second time, Simon, son of Jonas, lovest thou me? He saith unto him, Yea, Lord; thou knowest that I love thee. He saith unto him, Feed my sheep. 17 He saith unto him the third time, Simon, son of Jonas,⁵² lovest thou me? Peter was grieved because he said unto him the third time, Lovest thou me? And he said unto him, Lord, thou knowest all things; thou knowest that I love thee. Jesus saith unto him, Feed my sheep. 18 Verily, verily, I say unto thee, When thou wast young, thou girdest thyself, and walkedst whither thou wouldst: but when thou shalt be old, thou shalt stretch forth thy hands, and another shall gird thee, and carry thee whither thou wouldst not. 19 This spake he, signifying by what death he should glorify God. And when he had spoken this, he saith unto him, follow me.⁵³ 20 Then Peter, turning about, seeth the disciple whom Jesus loved following; which also leaned on his breast at supper,⁵⁴ and said, Lord, which is he that betrayeth thee? 21 Peter seeing him saith to Jesus, Lord, and what shall this man do? 22 Jesus saith unto him, If I will that he tarry till I come, what is that to thee? follow thou me. 23 Then went this saying abroad among the brethren, that that disciple should not die: yet Jesus said not unto him, He shall not die: but, If I will that he tarry till I come, what is that to thee? 24 This is the disciple that testifieth of these things, and wrote these things; and we know that his testimony is true.⁵⁵ 25 And there are also many other things which Jesus did, the which, if they should be written every one, I suppose that even the world itself could not contain the books that should be written. Amen.

Q. St. John, were you together with St. Peter and the other disciples when you were met by Jesus while fishing in the sea of Tiberias? A. Certainly, sir.

Q. Can you tell the Court and the jury, please, who was that disciple who was seen by Peter and of whom Jesus said that he should tarry until he comes? A. That was I, sir.

Q. And were you also the disciple who wrote down these things and testified that your testimony was true? A. Yes, sir; that was I.

Mr. Christiani: That will be all, St. John. The witness is yours.

Cross-examination by Mr. Ben Yehudah.

Q. You testified, St. John (XII : 1), that six days before the Passover, Jesus came to Bethany. During these six days that preceded the Passover, did the Jewish dignitaries meet and conspire against the Nazarene to kill him, as the three previous witnesses for the Prosecution have testified? A. No, sir, not within those six days.⁵⁶

Q. To your knowledge, did the Nazarene, two days before the Passover prophesy to you and to the rest of the disciples that he would be destroyed on the Passover, as you have heard St. Matthew testify? A. No, sir, not at this time.⁵⁷

Q. You stated (XII : 1-8) that the feet of the Nazarene had been anointed by a certain woman named Mary with costly ointment, six days before the Passover. To your knowledge, did a woman anoint the head of the Nazarene with costly ointment at any time during the two days preceding the Passover? A. No, sir, not to my knowledge.

Q. You stated (XII : 2) that the anointing took place in the house of Martha and Mary, the two sisters of Lazarus. Are you sure that it was in the house of Lazarus and not in the house of a certain leper named Simon, as you have heard St. Matthew and St. Peter testify?⁵⁸ A. I am positive, sir.

Q. Will you please tell the Court and the jury who was that woman called Mary who anointed the feet of the Nazarene with precious oil? Was it Mary Magdalene, out of whom the Nazarene had chased seven devils?⁵⁹ A. That was Mary Magdalene.

Q. Are you certain that this Mary anointed the "feet"

of the Nazarene and not his "head," as St. Matthew and St. Peter have testified?⁶⁰ A. Yes, sir, I am certain of that (XII : 3).

Q. Can you explain to the Court and the jury why this woman Mary used her hair to wipe the feet of the Nazarene (XII : 3)? Would it not have been more seemly and convenient to use a cloth or a towel? A. It must have been an expression of her extreme love for the Nazarene.⁶¹

Q. Can you tell us to what purpose were the Nazarene's feet anointed in the first place, and what was the object of wiping them after the precious ointment had been applied? A. I am unable to explain those hidden mysteries, sir.⁶²

Q. You testified (XII : 4-5) that the only one who complained of this extravagant waste on the part of Mary was the traitorous Judas. Are you positive that it was not "all" the disciples as told by St. Matthew, or "some" of the disciples as told by St. Peter?⁶³ A. My testimony as given is not subject to change or amendment, sir.

Q. According to your testimony (XII : 6), Judas complained of this extravagance, not because he had the poor at heart, but because he was a thief, and he had custody of the "wealth" of the Nazarene and the disciples. Is that correct? A. Precisely, sir.

Q. How did you know, St. John, that Judas was a thief? Had he ever been caught stealing from the treasury which had been entrusted to him by your lord Jesus Christ? A. Not according to my record, sir.

Q. Nor can we find any evidence of thievery on the part of Judas in any of the other documents, known as the Gospels. It was you alone who branded him as a thief without proof. It was merely an expression of your own feelings. Why? What was your motive? Wasn't it merely an attempt on your part to belittle Judas?⁶⁴ A. I knew that he was a thief at heart. That was my firm conviction.

Q. Now, St. John, do you mean to tell the Court and the ladies and gentlemen of the jury, that your lord, who according to your own testimony (XVIII : 4), knew all things, and in whose hands the Father had given all things

(XIII : 3), showed so little foresight and discretion as to make a common thief the treasurer of his saintly company? Is not your bitter indictment against Judas Iscariot a reflection upon the judgment of your lord? A. It might seem so, sir, but things are not always as they seem.

Q. You testified (XII : 6) that Judas Iscariot was self-seeking and greedy, and cared nothing for the poor whom he was to help with the funds entrusted to him. Is that right? A. It certainly is.

Q. Wasn't the Nazarene a friend to the poor and interested in helping them? A. Of course.

Q. Why, then, did he appoint such a man as Judas his disbursing officer of charity? Had not your lord sufficient wisdom or divine understanding to see through this vile disciple of his? A. The ways of my lord are not to be questioned, sir.

Q. You averred (XII : 7) that the Nazarene addressed the thief and ordered him "to let the woman alone." Do you mean, then, that you, a mere disciple, knew the evil that was hidden in the heart of Judas when he became indignant at Mary for her extravagance, and your lord was unaware of it? Surely if he had known Judas' thieving motive, would he not have reproved Judas instead of justifying the woman? A. Not necessarily, sir.

Q. You stated (XII : 7) that the Nazarene said, "Against the day of my burying hath she kept this." Are you acquainted at all with the customs of your people, the Jews? A. Somewhat.

Q. Was it customary among the Jews to anoint the feet of a living person in expectation of his burial? A. No, sir.⁶⁵

Q. Would the wiping of the Nazarene's feet with the hair of the woman have been considered a part of the ritual of anointing his body for burying? A. Not at all, sir.

Q. In the Jewish conception of religious morality, would not the woman's act have been considered an act of lewdness rather than an act of piety?⁶⁶ A. Some would have mistakenly considered it so.

Q. Was this woman endowed with the gift of prophecy that she knew to keep that very costly ointment in anticipa-

tion of that occasion?⁶⁷ A. I don't know how to explain it; but this is what my lord expressly said.

Q. You testified (XII : 8), in harmony with the first two witnesses for the Prosecution,⁶⁸ that the Nazarene, in justification of the woman's wasteful extravagance, had said, "For the poor always ye have with you; but me ye have not always." Is that correct? A. Yes, sir.

Q. Is it possible that your master used such an illogical argument to justify and praise the anointing? Must we not infer from the argument that he would prefer the satisfaction of his own pride and vanity to the satisfaction of the needs of the poor? Would this be the reasoning of a celestial being?⁶⁹

Mr. Christiani: Your Honor, I object to the question asked by Counsel for the Defense, on the ground that it is incompetent, irrelevant, and immaterial. He wishes the witness to explain the actions of his lord, and he also demands that he draw certain inferences.

Mr. Ben Yehudah: Your Honor, my question was put to the witness for the purpose of proving that Jesus could not have claimed to be motivated by vanity and pride, and therefore it is doubtful whether he used the reasoning and justification as given by the witness.

The Court: Objection overruled. Let the witness answer the question to the best of his ability.

Mr. Ben Yehudah (resuming the cross-examination of St. John): Q. Do you wish to answer my question, sir? A. I merely recorded what my lord did and said. It is for others to draw the necessary inferences.

Q. To the best of your knowledge, did the Nazarene, on this occasion, say of the woman who had anointed him that for her kind act her fame should be spread wherever the Gospel would be taught, as was testified by St. Matthew and St. Peter?⁷⁰ A. Not to my knowledge, sir.

Q. Now, St. John, in Chapter XII, verse 6, you stated explicitly that when Judas criticised the woman for her extravagant act, he was motivated by greed and not by sympathy for the poor. How, then, can you now say that Jesus justified

the woman's act because he was to be preferred to the poor? Would you claim that you knew that the thief Judas did not have the poor in mind, while your worshipful master did not know it, and therefore gave Judas the reason why at this particular time he was willing to neglect the poor for whose sake Judas was indignant? A. It is rather difficult to explain, sir.

Q. You have heard the other three witnesses testify⁷¹ that at some time during the two days preceding the Passover, Judas Iscariot made a bargain with the chief priests and elders to betray the Nazarene to them. To your knowledge, did this incident occur? And if it did occur, why did you fail to mention it? A. To my knowledge, this conspiracy did not take place as recorded by them.⁷²

Q. You have also heard the other three witnesses testify⁷³ that the disciples were sent by your master to Jerusalem to a certain man in whose house they were to celebrate the Passover, and that later they all came in the evening and celebrated the Passover. They also spoke of other related incidents not mentioned by you. To your knowledge, did these things actually take place? If they did, why did you see fit to omit them in your testimony? A. To my knowledge, those events did not take place.⁷⁴

Q. As one of the most prominent of the disciples, you would certainly have known of those incidents if they had occurred? A. Yes, sir.

Q. But, St. John, you have heard St. Luke, the third witness for the Prosecution testify in this Court⁷⁵ that Jesus had sent you and St. Peter to prepare the Passover, and that you followed his instructions. Would you say that this witness was telling an untruth? A. No, sir, I wouldn't say that.

Q. How many days before the Passover did the incident occur which you mentioned in your testimony (XIII : 1-2) that the devil incited Judas Iscariot to betray your master? A. It was the night before the eve of Passover, that is, the thirteenth day of the month of Nisan.⁷⁶

Q. So, according to your testimony, Satan commenced his devilish work on Judas the very night of the arrest of

Jesus, and not before as was stated by the other witnesses for the Prosecution?⁷¹ A. As I have stated, sir (verse 2, *supra*), "the devil having *now* put into the heart of Judas Iscariot."

Q. Where did this happen? Was it in the house where Lazarus had been together with his two sisters Martha and Mary who had anointed the Nazarene's feet (XII : 1-13)?

A. Yes, sir, it was in the same house.⁷²

Q. Please explain to the Court and the jury what you meant to convey by the expression (XIII : 3), "Jesus knowing that the Father had given all things into his hands." Do you mean to say that the Almighty had delegated the control of the universe to Jesus? A. Yes, sir.

Q. Do you wish to say by this that the Almighty was unable to control His world by Himself, but required the aid of His crucified son? Was He getting old perhaps?

Mr. Christiani: Your Honor, this is the rankest expression of heresy. I move that this question be disallowed and stricken from the record.

Mr. Ben Yehudah: Your Honor, my statement was nothing but the logical conclusion of the witness' statement. If the Father deemed it advisable to "give all things into the hands of His son," does it not follow that He was in need of his son's help? Of course it is rank heresy, and even paganistic if you will, to contend that the Almighty, the Omnipotent Spiritual Power of the Universe, had to resort to the help of His own crucified son to manage the affairs of the world. But this is St. John's contention, and not mine. How can my learned opponent, then, accuse me of heresy, Your Honor?

The Court: Objection overruled. Let the witness explain his statement to the best of his ability.

Mr. Ben Yehudah (resuming the cross-examination of St. John, the fourth witness for the Prosecution): Q. Can you explain your statement, "the Father had given all things into his hands"? A. I am unable to explain these highly involved theological questions, sir.

Q. You testified (XIII : 4-12) that after supper your lord washed the feet of his disciples. Now, St. Peter's feet

were washed, as well as those of St. Matthew, weren't they?
A. Decidedly, sir.

Q. Why, then, did these two Saints omit this very important incident in their testimony?⁷⁸ A. I am unable to explain why they omitted it.

Q. Can you explain what the lord wished to signify by washing your feet with water and drying them with a towel (XIII : 5)? A. He meant to show that he and his disciples were of equal status and that he did not consider himself above us. He was also teaching us, by example, to be humble (XIII : 13-17).

Q. But there had been no custom existing among the Jews to wash one's feet after supper, or after any meal; why, then, did your lord use foot-washing as an example of humility?⁷⁹ A. I don't know, sir.

Q. When you testified (XIII : 5, 12) that your master washed the feet of his disciples, it must necessarily be interpreted to mean that he also washed the feet of Judas Iscariot, who was still present (verse 30, *infra*). Otherwise, wouldn't that omission have signified that Judas was the betrayer of whom Jesus had spoken, and there would have been no need for you, lying on your master's breast, to inquire who the betrayer would be (XIII : 25-26)? Do you wish to tell the Court and the jury, then, that Jesus had washed the feet of Judas with the knowledge that he was a traitor and a thief?⁸⁰ A. I am not sure, sir, but I think that my lord washed Judas' feet as well.

Q. According to your testimony (XIII : 6), only Peter protested against having his feet washed by the Nazarene. And what about you, the disciple whom he loved, and the other saintly disciples? Were all the rest content to see your lord humiliate himself by washing your feet? A. We did not protest.

Q. You testified (XIII : 13) that Jesus said to you, "Ye call me master and Lord: and ye say well; for so I am." In other words, he washed your feet to show that he was your equal, but he also humbly admitted that he was your lord and master. Wasn't this at all confusing to the disciples? A.

We were often confused, sir, because we are mortal and not divine.

Q. You stated (XIII : 10-11) that Jesus said that not all his disciples were clean, that he knew one who should betray him. Then you stated again (XIII : 18) that Jesus said, in order that a Biblical prophecy might be fulfilled concerning him, "He that eateth bread with me hath lifted up his heel against me." He thus justified the betrayal of Judas Iscariot and his own lack of foresight and discernment in choosing him as one of his twelve because it had been so pre-ordained? A. It would seem so.

Q. But how could Jesus justify his complete lack of foresight and discernment in selecting a low thief as one of his chosen twelve (XII : 6)? Surely, the Scripture did not foretell that the betrayer must be a thief as well as a betrayer? A. I am unable to explain that.⁸¹

Q. You quoted the Nazarene as saying (XIII : 19), "Ye may believe that I am he." Who is that "he" that he referred to? A. The lord meant to signify that he was the Christ.⁸²

Q. You describe your lord as "troubled in spirit" (XIII : 21). He is no longer the hero who takes his destiny with equanimity as described by you in verses 1 and 2; nor is he the co-equal of his Father as told by you in verse 20; nor does he have the confidence expressed by you in verse 19, of attaining that glory that is signified by the "he." He is a mere mortal of flesh and blood, "troubled in spirit" and humbled: he is afraid of the betrayal and its consequences. Is this description of your lord consistent? A. It is consistent but very difficult to explain, sir.⁸³

Q. You testified (XIII : 22) that the disciples, upon learning from their master that one of their own group would betray him, "looked one on another, doubting of whom he spake." Did not each and every one of you, at this point, ask your master, "is it I?" A. No, sir, not to my knowledge.

Q. Now, St. John, you have heard St. Matthew and St. Peter testify⁸⁴ that each and every one of the disciples, including you, asked, "Is it I?" Do you still maintain that you said nothing at all, but merely "looked one on another"? A.

Yes, sir. My story was divinely inspired and is not subject to amendment or deletion

Q. When did this incident occur? A. After supper in the evening of the thirteenth day of the month of Nisan.

Q. You have heard the three Synoptic witnesses testify⁸⁵ that this event occurred on Passover eve, the evening of the fourteenth day of Nisan, before the meal was completed, according to St. Matthew and St. Peter, and after the supper-cup, according to St. Luke. Do you still insist that this happened on the thirteenth day of Nisan, and after a week-day supper? A. Yes, sir; I do.

Q. Where did this incident occur? A. In the house of Martha and Mary, the sisters of Lazarus.

Q. You have heard the other three witnesses for the Prosecution testify⁸⁶ that this incident occurred in the house of a certain man where the Nazarene wished to celebrate the Passover with his disciples. Now, two of these witnesses, St. Matthew and St. Peter, were present at the scene together with you. Do you still insist that it happened in the house of the two sisters? A. Yes, sir.

Q. Who was that disciple who "was leaning on Jesus' bosom, whom Jesus loved" (XIII : 23)? A. That was I, sir.⁸⁷

Q. You testified just a few minutes ago (XIII : 6, 8-9) that Peter, of all the members of your group of disciples, was the one who dared to protest when your lord was about to wash his feet. All the witnesses for the Prosecution agree that Peter was the first choice of the Nazarene and the most outspoken. Why did he suddenly become timid and fear to ask his master to reveal the identity of the betrayer? Why did he beckon to you to ask the question while leaning on your master's breast (XIII : 24)? A. I really am unable to explain that, sir.

Q. Now, according to your testimony (XIII : 25), you were the only one who asked of your master, "Who is it?" Is this correct? A. Yes, sir.

Q. And what did your master reply to this? A. He said,

“He it is, to whom I shall give a sop, when I have dipped it.”

Q. Are you certain that your master said that this would be the method by which the betrayer would be pointed out?

A. Of course.

Q. And you are also certain that your lord immediately thereafter dipped the sop, and gave it to Judas Iscariot? A. Yes, I am certain of that.⁸⁸

Q. Can you explain, St. John, why your master, in answer to your query who the betrayer would be, did not reply directly, mentioning the traitor by name, instead of giving you the sign of the sop? A. I still don't know why, sir.⁸⁹

Q. How long did you, as the loved one of Jesus, remain lying on your lord's breast?⁹⁰ A. I don't recall the exact length of time, but it must have been throughout the meal, sir.

Q. Was it customary among the Jews for a favorite disciple to lie on his Rabbi's breast during meals? A. I don't think so, sir.⁹¹

Q. Can you explain this strange behavior, then?

Mr. Christiani: I object to this question as being incompetent, irrelevant and immaterial. The witness testifies to actual facts that occurred between him and his master, and it is not incumbent upon him to advance reasons why those facts occurred.

The Court: Objection overruled. Let the witness answer to the best of his ability.

Mr. Ben Yehudah (resuming cross-examination): Q. Can you explain how your master came to adopt such a strange procedure of having you lie on his breast during meals? A. I am unable to explain it, sir.

Q. You testified (XIII : 27) that after the sop had been given by Jesus to Judas, “Satan entered into him.” Before this, you testified (verse 2, *supra*) that “the devil put it into the heart of Judas to betray him,” and this was some time before the sop was given him. Will you please explain to the Court and the ladies and gentlemen of the jury, how this thing actually happened? If the devil and Satan are one and the

same being, why did he have to make two entries into the heart of Judas? Why did he not remain in his heart the short interval that had elapsed from the time he first entered there until this very occasion? And if the devil and Satan are two distinct beings, did they both enter the heart of Judas, on two different occasions, and work on him to become a betrayer?

Mr. Christiani: Your Honor, I strenuously object to the sarcastic remarks made by the Attorney for the Defense. We are dealing here with a very sacred subject; there are saints on the witness stand; and there is no room for irony.

Mr. Ben Yehudah: I am astonished by the remarks of my learned opponent, Your Honor. I wonder what makes him think that I have any intention of being sarcastic. I am merely seeking, in all sincerity, to enlighten myself, the Court, and the ladies and gentlemen of the jury, concerning the witness' testimony. If there is any irony in this, Mr. Christiani must find it not in our sincere questions but in the testimony of the witness himself.

Mr. Christiani: I respectfully withdraw my objection, Your Honor.

The Court: Let the witness answer the question that has been put to him.

Mr. Ben Yehudah: Q. Do you care to answer the question? A. Please do not ask me to be responsible for the plausibility of the actions of the devil.

Q. All the witnesses for the Prosecution testified that the Almighty had preordained the crucifixion of His son, and that He Himself had managed the whole affair, which naturally included the betrayal by Judas. You even testified (XIII : 18) that Jesus himself had condoned the act of Judas, because the Scripture had to be fulfilled. Now, you and St. Luke (XXII : 3) state that it was the work of Satan. Would you have us believe that the good will of God and Satan worked in harmony? A. That question is too complicated, sir.⁹²

Q. You and St. Luke insist that Judas' traitorous act was caused by Satanic temptation; Jesus himself claimed, ac-

cording to the Gospel-writers, that the entire scheme was maneuvered by the Father; and Matthew insisted⁹³ that it was sheer avarice on the part of Judas. Can you tell the Court and the jury who was right, Jesus himself, Matthew, or Luke and you? A. I cannot explain these highly involved theological questions, sir.⁹⁴

Q. You stated (XIII : 27) that Jesus said to Judas Iscariot, "That thou doest, do quickly." Of course, you are aware that the three Synoptic witnesses did not mention any such request.⁹⁵ You are sure that Jesus said this? A. Decidedly, sir.

Q. Can you explain the reason for the request? Did your lord dread his doom and therefore wished to cut short his agony? Was this a plea to the traitor for mercy? Or was Jesus merely over-anxious to be glorified without delay? A. I have recorded the words he spoke. I cannot add anything to them.

Q. To your knowledge, did your lord take bread, during the supper you spoke of, divide it among you, his disciples, and say, "Take, eat, this is my body"? A. No, sir.

Q. Did he take a cup of wine, and tell you, his disciples, to drink of it, saying, "This is the blood of my new testament"? A. No, sir.

Q. Did not your lord observe some sort of ritual during that supper, as was testified by the other three witnesses for the Prosecution? A. No, sir.⁹⁶

Q. You testified (XIII: 28) with reference to the Nazarene's request of Judas, that "no man at the table knew for what intent he spake this unto him." Isn't it strange that no one should have guessed his meaning, especially when, according to your own testimony (XIII : 21), your lord had told all of you that one of you would betray him? Were you not anxious to know who the betrayer would be? Did not Peter influence you, as Jesus' beloved disciple, to ask his identity (XIII : 22-25)? Did not the Nazarene expressly indicate to you who the betrayer would be by dipping a sop and giving it to Judas Iscariot (XIII : 26)? Yet, not one of

the group of saintly disciples, not even you yourself, knew to what the Nazarene was referring when he spoke to Judas? Were you all so absurdly slow in understanding your master?⁹⁷ A. We simply did not understand him.

Q. But you, at least, should have understood your master, and seen the connection between what he said to Judas and the secret he confided to you. For, did you not, in addition, know that Judas was a thief at heart? A. I cannot account for it, sir.

Q. This incident occurred at night after supper, and some of you thought that the Nazarene was simply ordering Judas to "buy those things that we have need of against the feast." Were you referring to the Feast of Passover? A. Yes, sir.⁹⁸

Q. But was it not ridiculous for any one of you to surmise that Jesus had reference to procuring things for the Passover? In the first place, the Nazarene was not at that time engaged in a conversation with you concerning the preparation for the Passover. He was talking to you about the betrayal, and he indicated clearly and distinctly who the betrayer would be. Why should any one of you have imagined that he would abruptly switch the subject of his conversation to buying things for the Feast? Secondly, at that hour of the night one could hardly have gone shopping. Yet you actually thought that this was what Jesus meant when he told Judas to "do it quickly"? A. Yes, sir.

Q. You testified that Jesus who a short while ago was troubled in spirit (XIII : 21), now claimed (XIII : 31) that he would rise to the highest sublimity, to the very height of God Himself! He claimed that the Son of man would become glorified by the betrayal, and that God would be glorified in him. According to the statement you attributed to Jesus, the thief Judas Iscariot became the instrument of your lord's glorification? A. Yes, sir.

Q. Can you explain why such honor should have been bestowed upon a thief, as you have called him? A. It was foreordained, sir (XIII : 18)

Q. Why did Jesus address you, the holy group of dis-

ciples, as "little children" (XIII : 33)? Was it because you were as faultless, pure, and innocent as "little children"? A. I presume so, sir.

Q. But were you really so good and innocent? Didn't you run away from your lord when he needed your aid? Didn't you fall asleep when he needed comfort and company? Didn't you quarrel among yourselves in his very presence as to who would be worthy of succeeding him? A. This is all shameful but true, sir. Perhaps in calling us "little children," he meant merely that he loved and watched over us as little children.

Q. You testified (XIII : 33) that Jesus said to you: "Ye shall seek me: and as I said to the Jews," etc. Is that correct? A. It is, sir.

Q. Wasn't your lord Jesus a Jew? A. Certainly.

Q. And weren't all the twelve disciples Jews? A. They were.

Q. Then why did Jesus, in speaking to his disciples, refer to his people as "the Jews" as though they were an alien people, not his own? A. I really cannot account for that.⁹⁹

Q. You averred (XIII : 34) that Jesus said to his disciples, "A new commandment I give unto you, That ye love one another." Is that correct? A. Yes, sir.

Q. Was this commandment actually new? Did your lord now expound a new theory to the world? Didn't the Nazarene know that the commandment that one should love his neighbor had been promulgated by the Almighty through his servant Moses, hundreds of years before? "And thou shalt love thy neighbor as thyself," was the express command of God to the Jews, long before the advent of your master.¹⁰⁰ And before the time of Jesus, Hillel the Elder elaborated upon this principle of love with, "Whatever is hateful to thee, don't do to another."¹⁰¹ How could you have claimed, then, that your master called the idea of your loving one another a "new commandment"? Do you wish us to believe that Jesus was unfamiliar with even the most fundamental principles of the Jewish religion?¹⁰² A. I recorded his words exactly as he spoke them to us.

Q. You testified (XIII : 35) that Jesus told you, his disciples, "By this shall all men know that ye are my disciples, if ye love one another." If this was the duty of all Jews, by the express commandment of their religion, to love one another, how could the Nazarene have stated that his disciples, by observing this principle, would be distinguished and recognized by all men? A. I don't know, sir.

Q. In your testimony (XIII : 36) you recorded that Simon Peter wished to know where his lord was going, and that Jesus made certain answer to him. You have heard St. Peter himself testify in this Court,¹⁰³ but he made no mention at all of this conversation between Jesus and himself. Do you maintain yours to be the correct story? A. Yes, sir.

Q. Did Jesus say to his disciples on this occasion that they would "all be offended because of him"? A. Not to my knowledge, sir.

Q. You are certain, then, that Jesus addressed himself to Peter only, and not to all the disciples, as was told by St. Matthew and St. Peter himself?¹⁰⁴ A. Yes, sir.

Q. To the best of your knowledge, St. John, did your lord at this time predict that after he had risen, he would go before them into Galilee, as was stated by St. Matthew and St. Peter?¹⁰⁵ A. No, sir.

Q. According to your testimony (XIII : 37-38), Peter had promised to lay down his life for his master before the latter made the prediction that Peter would deny him thrice. Are you sure of that? A. Yes, sir.

Q. You have heard St. Matthew and St. Peter himself testify¹⁰⁶ that your lord first predicted Peter's denial of him, and that thereafter Peter made his solemn promise of loyalty. Did Peter tell an untruth? A. No, sir; I wouldn't say that.

Q. Now, St. John, did you together with the rest of the disciples, repeat the promise made by Peter, that you would remain loyal to your master even at the risk of your lives? A. Not to my recollection, sir.

Q. You have heard St. Peter and St. Matthew, both of whom were supposed to have been present with you at

this time, testify¹⁰⁷ that all of you had made such a promise to your lord. You deny this, then? A. Yes, sir.

Q. According to your testimony (XIII : 38), the Nazarene predicted that Peter would deny him three times, before the cock would crow once. Is this correct? A. Yes, sir.

Q. But you have heard St. Peter himself testify that Jesus had predicted two crowings of the cock. Is your version of the incident correct? A. I am sure of that, sir.¹⁰⁸

Q. To the best of your knowledge, did your lord at this time instruct you and your colleagues to procure swords, and did you report to him that you already had two swords in your possession, as you have heard St. Luke testify in this Court?¹⁰⁹ A. No, sir. I have no recollection of this incident.

Q. Can you tell the Court and the jury where the conversation between Jesus and Peter took place? A. In Bethany, in the house of Martha and Mary, the sisters of Lazarus.

Q. Did it take place before you and your lord crossed the brook Cedron? A. Yes, sir.

Q. It was not until after this conversation, then, that your lord went with his disciples across the brook Cedron to reach the Mount of Olives? A. That is correct.

Q. But you have heard the other witnesses for the Prosecution testify in this Court¹¹⁰ that Jesus' prediction of Peter's denial took place after they had reached the Mount of Olives. How can you reconcile this difference? A. I am responsible for my own recording, sir.

Q. Did any incident at all occur while you were in the garden, before the arresting officers came there? A. No, sir.

Q. According to your testimony, then (XVIII : 1-3), the arrest of your lord took place as soon as you reached the garden? A. That is correct, sir.

Q. You have heard the other three witnesses vividly describe¹¹¹ the extreme agony your lord endured in the garden at this time, and how the three disciples, including yourself, fell asleep while your lord prayed fervently to his Father. Do you still insist that no such thing happened, and

that the arrest took place as soon as you reached the garden? A. Yes, sir. Had these things happened, I should have remembered them.¹¹²

Q. Now, St. John, you have made no mention in your testimony of the bargain that was supposed to have been concluded between the betrayer and the Jewish authorities, as was testified by the three Synoptic witnesses.¹¹³ Can you explain, then, what you meant by (XVIII : 2) "And Judas also, which betrayed him"? A. I meant the betrayal that was known to all.¹¹⁴

Q. What exactly did you mean by the term "band" (*speira*, in Greek) in your testimony (XVIII : 3)? Did you mean that a cohort, or a detachment of Roman soldiers also were included in the group of men who came to arrest Jesus? A. Yes, sir.¹¹⁵

Q. Would that signify that the Jewish authorities had procured Pilate's aid in effecting the arrest of Jesus? A. Yes, sir, it would signify exactly that.

Q. Can you explain why the authorities sought the aid of the Roman Procurator? A. No, sir.

Q. If the Jewish jurists, as was testified by St. Matthew and St. Peter,¹¹⁶ had originally accused Jesus of the religious offense of blasphemy, on what grounds would they have been able to obtain the aid of the Roman authorities? A. I don't know, sir.

Q. According to your testimony (XVIII : 3), the Jewish officers included in the arresting party came not only from the chief priests but also from the Pharisees? A. That is correct.¹¹⁷

Q. You testified—this was your own reasoning—(XVIII : 4) that "Jesus knowing all things that should come upon him, went forth, and said unto them, Whom seek ye?" Did it actually require prophetic intuition to understand for what purpose the band headed by Judas Iscariot had come? A. Of course it did.

Q. But according to your testimony (XIII : 26-27), your lord knew that Judas would betray him, and he even asked him to do the job without unnecessary delay. Jesus saw Ju-

das depart immediately after he had given him the sop, and in fact, he expressed satisfaction that he would soon be glorified (XIII : 30-31). Now that he saw the betrayer coming at the head of a Roman detachment headed by a centurion (XVIII : 12), and many officers from the Jewish authorities, wouldn't ordinary common sense make him understand that they had come to arrest him? Did he require the possession of prophetic gifts to understand that they were not coming, armed as they were with weapons (verse 3, *supra*), for the purpose of doing him homage? A. Whether my lord had to resort to prophecy in this particular instance, I don't know. But the fact remains that he had the power of prophecy.

Q. According to your version of the story (XVIII : 4), then, Jesus conducted himself like a hero, and fearless of his enemies, he boldly asked them whom they were seeking. There was no kiss necessary to identify him, to single him out from the rest of the disciples. On the contrary, he himself submitted willingly to the arrest, and there was no need for further identification. Is that true?¹¹⁸ A. Yes, sir.

Q. You stated (XVIII : 5), "And Judas also stood with them." But you have already told us (XVIII : 3) that Judas came at the head of the band of the apprehending officers. Why emphasize again that he stood there? A. So that this traitor shall never be forgotten.¹¹⁹

Q. To the best of your knowledge, St. John, were there any Jewish representatives, such as chief priests, captains of the Temple, and elders, included in the party of arresting officers, as you have heard St. Luke testify in this Court?¹²⁰ A. Not to my knowledge, sir.

Q. You testified (XVIII : 6), "As soon as he said unto them, I am he, they went backward, and fell to the ground." Were they all, Roman pagans and Jews alike, stricken with awe, when they heard from the mouth of the Nazarene that he was he, that they all, without an exception, fell to the ground? Or, were they so impressed by his statement, that they stepped back a respectful distance from his presence and paid him homage? A. Probably both statements are true, sir.¹²¹

Q. Can you explain, please, the object of the Nazarene's asking them again, whom they were looking for? Was it for the purpose of encouraging the awe-stricken officers and men? A. I presume so.

Q. And again Jesus admitted to them, "I have told you that I am he." Do you know why those Roman and Jewish officers did not fall to the ground this time? A. No, sir.

Q. If either the majestic aspect or the awful words of Jesus caused such awe and reverence that all the people present, the Roman cohort and their chiliarch, the chief priests, the captains of the Temple, and the elders, and the whole multitude fell to the ground, why did they not desist from executing the arrest? Once before you related (VIII : 25 ff.) that on a certain occasion some of the officers were so impressed by Jesus' words that "no man laid hands on him" (*l. c.* verse 44). This time you say that his words and his appearance had an even greater effect, "they went backward and fell to the ground," yet they laid hands on him, and what is more they had so little respect for him that they even bound him (verse 12, *infra*). Can you explain to the Court and the ladies and gentlemen of the jury, why the awe and reverence so suddenly disappeared?

Mr. Christiani: Your Honor, I object to this question on the ground that it is incompetent, irrelevant, and immaterial. This saintly witness relates what he personally saw and heard. Is he obligated, under the law, to explain why certain things did or did not happen? I respectfully move that this question be disallowed and stricken from the record.

Mr. Ben Yehudah: Your Honor, the object of my questioning the witness is to establish that he was not an eyewitness, because his statements are contradictory and illogical. The Defense does not concede at all that St. John, the one counted as one of the Twelve, actually recorded the alleged facts in the Gospel bearing his name. Our contention is that this document, marked in evidence as "Plaintiffs' Exhibit 4," and bearing the title "The Gospel According to St. John," was not written by this witness, but by a much later hand, who unskillfully tried to patch up the many inconsistencies which

abound in the three Synoptical Gospels. The only evidence existing that remotely connects the author of the Gospel with St. John, is the "beloved disciple" myth mentioned occasionally in this Gospel. Legally, Your Honor, we cannot establish the identity of an unnamed witness in any document, simply by relying on the say-so of Christian authors. If this witness really was the "beloved disciple of Jesus," why did he refrain from mentioning his name? Why refer to him anonymously, in a mysterious manner? We cannot give credence to the testimony given by an unnamed witness. My question, I contend, is regular and relevant to prove that the statements embodied in this Gospel could not have been told by an eyewitness, because they are manifestly untrue.

The Court: Objection overruled.

Mr. Ben Yehudah: Q. Can you, St. John, answer my question? A. True facts need not be explained, sir.

Q. Did not Judas kiss the lord, saying to him, "Hail, master," and did not Jesus say something to Judas in return? A. No, sir. The traitor did not kiss the lord, and Jesus said nothing to him.

Q. The three Synoptic witnesses testified, as you have heard in this Court, that Judas kissed the lord for the purpose of identifying him to the apprehending officers.¹²² Can you tell us who had the right version of the arrest? A. No identification was necessary, sir. I was present during the whole affair.¹¹⁸

Q. Can you tell us, then, what Judas obligated himself to do under the terms of his betrayal agreement? A. It was merely to guide the officers to the place where the lord could be found.¹²³

Q. According to your testimony (XVIII : 8), the Nazarene pleaded with the officers to let the disciples go their way. Did he obtain their freedom by this intercession? A. Certainly.

Q. But, as you have heard in this Court, the other witnesses testified ¹²⁴ that the disciples obtained their freedom by forsaking their lord and fleeing. Your version, and not theirs is the correct one?¹²⁵ A. I vouch for the truth of my testimony, sir.

Q. To the best of your knowledge, did the lord address himself to the whole band of officers and reproach them for seizing him like a thief, as you have heard the three Synoptic witnesses testify in this Court?¹²⁶ A. He did not.

Q. You testified before¹²⁷ that after the Jewish representatives had taken counsel to put him to death, "Jesus walked no more openly among the Jews; but went thence into the country near to the wilderness, into a city called Ephraim." According to your testimony, then, Jesus could not possibly have told the Jewish officers, "I sat daily with you teaching in the temple, and ye laid no hold on me," as was averred by the three Synoptic witnesses in this Court.¹²⁸ Wouldn't that have been too obviously untrue? A. Of course he said no such thing.

Q. You stated (XVIII : 9) that the Nazarene desired that his disciples be not arrested with him, because he was anxious that a certain saying uttered by him might be fulfilled. Do you mean to say that he pleaded for their safety, so that what he himself had embodied in one of his alleged prayers (XVII : 12) might not prove false? Is this logical? A. Of course it is. Every word that proceeded from his lips had to be fulfilled, even if it were only uttered in prayer and not in prophecy.

Q. You testified (verse 8, *supra*) that the disciples escaped arrest only by the intercession of the Nazarene. Do you mean to tell the Court and the ladies and gentlemen of of the jury, that even after one of you dared resist the arrest of the Nazarene by violently assaulting an officer of the law, the officers didn't even apprehend him for the assault but let him go free?¹²⁸ A. I recorded facts, sir.

Q. To the best of your knowledge, did your lord touch the ear of the stricken servant and heal it, as was told by St. Luke in this Court? A. I saw no such miracle, sir.¹²⁹

Q. Now, St. John, isn't it a fact that every word that was uttered by your lord was considered sacred by your group of disciples? A. Certainly.

Q. Therefore, in quoting him, you were very careful to use his exact words, were you not? A. Of course.

Q. When you testified (XVIII : 11) that your lord said to Peter, "Put up thy sword into the sheath," etc., you were extremely careful in recording his exact words? A. Yes, sir.

Q. But you have heard St. Matthew testify that your lord said to Peter:¹³⁰ "For all that take the sword shall perish with the sword." Is your quotation right, and not his? A. I vouch for my own version only, sir.

Q. Can you, St. John, explain to the Court and the jury why you saw fit to emphasize in your testimony (XVIII : 12) "officers of the Jews"? Weren't there Roman soldiers and officers, a whole cohort? Why did you not even once mention or emphasize the Romans in your account of the arrest? A. It was because the Jews were instrumental in bringing about the arrest of our lord.¹³¹

Q. You testified before (XVIII : 6) that the arresting officers were so awed by the Nazarene that they stepped backward and fell on their faces. Isn't that correct? A. Yes, sir.

Q. Then why did they now bind him like a common criminal (XVIII : 12)? He had accepted the arrest willingly and without protest, according to your testimony. Under these circumstances, was it not an unnecessary cruelty and sign of disrespect to bind him? What had become of their former feeling of awe and reverence? A. I don't know, sir.

Q. Do you recall any incident of a young man following the prisoner, and later fleeing from the officers naked, leaving his only article of clothing, a linen cloth, in the hands of the officers, as was told by St. Mark? A. I know of no such incident, sir.¹³²

Q. Can you tell us where they took Jesus immediately after the arrest? A. To the house of Annas, the father-in-law of the high priest Caiaphas (XVIII : 13).

Q. You have heard the first witness testify¹³³ that they took him directly to the palace of the high priest Caiaphas, and not to Annas. Are you sure he was taken to the house of Annas? A. Absolutely sure.¹³⁴

Q. Can you explain for what reason they took him first to Annas? A. As I stated, "because he was the father-in-law

to Caiaphas, which was the high priest that same year."

Q. Yes, but why to Annas? A. I don't know, sir.¹³⁵

Q. Isn't it a fact, St. John, that Caiaphas had been high priest at the Temple of Jerusalem for several years prior to the time this alleged arrest took place? Was he not a famous man? A. Yes, sir.

Q. Isn't your description, then, of the high priest Caiaphas "which was the high priest that same year," rather superfluous for the purpose of identification, and also somewhat inaccurate? A. My version was divinely inspired, sir.¹³⁶

Q. Do you know whether there were any other members of the Sanhedrin present in the palace of Annas? A. I don't know.

Q. Then you don't know whether a regular court session was convened at that time at the palace of Annas to hear the case against the Nazarene? A. No, sir; I don't know.

Q. Can you tell the Court and the jury who that other disciple was who was known to the high priest and had a right of entrance into the court which was denied Peter? A. That was I, sir.¹³⁷

Q. How did you, a humble fisherman of Galilee, ever form an acquaintance or friendship with the aristocratic high priest? A. The high priest knew me, sir.

Q. But why did you fail to disclose your name in connection with this incident and several others? For what reason did you prefer to describe yourself by the mystic expression "the other disciple"? A. I really cannot account for that, sir.¹³⁸

Q. Did the high priest know that you were one of the outstanding disciples of Jesus? A. I don't think so.

Q. Who was the high priest you speak about in your testimony. Was it Caiaphas or Annas? A. I don't recall, sir.¹³⁹

Q. Now, you have heard St. Matthew and St. Peter testify in this Court¹⁴⁰ that Peter was the only one who followed Jesus even from a distance, and that all the other disciples, including you, had fled. The third witness, St. Luke, did not mention in his testimony that you had fled. He, however,

agreed with St. Matthew and St. Peter¹⁴¹ that Peter was the only one who had followed Jesus. Do you, St. John, in the face of their unanimous testimony, still wish to abide by your version of the story that you also followed Jesus and that you gained admission into the palace of the high priest because you were known to him? A. Yes, sir. I would not wish to alter a word of it.

Q. You testified (XVIII : 17) that a maid who kept the door recognized Peter as one of the disciples of Jesus. Was the identification made at the entrance of the palace? A. Yes, sir.

Q. But you are again contradicting the other three witnesses for the Prosecution. St. Peter testified, as you heard, that he was recognized "as he was beneath in the palace," warming himself. St. Matthew testified that Peter was recognized "as he sat without in the palace." And St. Luke stated that Peter sat together with them "who had kindled a fire in the midst of the hall."¹⁴² While those witnesses disagree as to the exact spot where Peter was, they unanimously testified that Peter was not at that time at the entrance of the palace. Who is telling the truth, then? A. I can vouch for my account only, sir.

Q. And, according to your testimony (XVIII : 17), it was in the palace of Annas that the maid recognized Peter? A. That is correct, sir.

Q. You have heard the first witness testify^{143a} that this incident took place in the palace of Caiaphas. Are you sure your statement is the true one? A. I am.

Q. According to your testimony (XVIII : 17), the maid said to Peter, "Art not thou also one of this man's disciples?" Shall we assume, then, from the expression "this man's" that Jesus was together with Peter and you in the same room, or hall? A. That would be correct, sir.

Q. Do you mean to tell us that this conversation among the maid, Peter and you, took place in the hall where Jesus was questioned by the high priest? A. Yes, sir.

Q. What could the maid have meant to say when she

said to Peter, "art thou also?" Whom else of those present did she know to be Jesus' disciple? A. I don't know, sir.

Q. What did Peter answer? A. He said to her, "I am not."

Q. You have heard St. Peter himself testify¹⁴³ that he said to the maid, "I know not, neither understand I what thou sayest." Do you still maintain that he said, "I am not"? A. Certainly, sir.

Q. Was this first denial made by Peter before the institution of any legal proceedings in the palace of the high priest, and not thereafter as you heard St. Matthew and St. Peter himself testify?¹⁴⁴ A. Before, sir (verse 19, *infra*).

Q. Who was the high priest that asked some questions of the Nazarene of his doctrines and his disciples? A. Either Caiaphas or Annas.¹⁴⁵

Q. Did not the members of the Sanhedrin meet, that night, in the palace of the high priest in regular court session to try the Nazarene? A. No, sir, not to my knowledge.

Q. Didn't they try to obtain witnesses, whether false or true, to testify against Jesus? A. No, sir.

Q. Didn't two witnesses appear in court and lodge a complaint against Jesus? A. Not to my knowledge.

Q. Didn't the high priest, as President of the Great Sanhedrin, find the Nazarene guilty of the specific charge of blasphemy? A. Not to my knowledge.

Q. Didn't the high priest adjure Jesus to tell him whether he was "the Christ, the son of God"? A. No, sir.

Q. Didn't the high priest, as President of the Great Sanhedrin, ask the judges to express their opinion as to the guilt or innocence of Jesus? A. No, sir, he did not.

Q. Didn't the judges render a unanimous verdict that Jesus was guilty and deserving of death? A. No, sir. As I have testified (XVIII : 19-21) there was no trial at all. The high priest questioned Jesus concerning his doctrines and his disciples, and that was all.

Q. Didn't Jesus admit to the members of the Sanhedrin that he was the son of God? And did he not say to them

"Hereafter shall ye see the Son of man sitting on the right hand of power, and coming in the clouds of heaven"? A. Not to my knowledge, sir.

Q. Didn't the judges together with the officers spit in the face of the Nazarene, beat him, and say to him, "Prophesy unto us, Who beat thee"? A. Not that I know of, sir.¹⁴⁶

Q. So, I take it from your testimony (XVIII : 19) that the high priest, whether it was Caiaphas or Annas, did not preside as President over the Great Sanhedrin, and he did not question Jesus in the capacity of a presiding justice. It was a private examination by the high priest simply to satisfy his own curiosity? A. It would appear so.

Q. But you heard St. Matthew and St. Peter testify¹⁴⁶ that Jesus was tried that night by a complete tribunal, the Sanhedrin, and that after some alleged court procedure, a verdict of guilt was rendered by the court. What was your motive in omitting this trial?¹⁴⁷ A. It just did not take place, sir.

Q. Did Jesus remain silent when the high priest asked him the question you recorded? A. No, sir. He replied (XVIII : 20): "I spake openly to the world: I ever taught in the synagogue, and in the temple, whither the Jews always resort; and in secret have I said nothing."

Q. When Jesus spoke about the Temple in his reply to the high priest, did he refer to the Temple at Jerusalem? A. Certainly.

Q. Isn't it nonsensical to say that your lord used the words "whither the Jews resort"? Would one Jew talking to another, Jesus to the high priest, use the expression "the Jews"? Wouldn't he rather say, when speaking of the Jews, "our people," or "our brethren," or just "people," but not "the Jews"? A. That was the expression I heard him use.¹⁴⁸

Q. Can you explain to the Court and the jury, what your lord meant by his reply (XVIII : 21), "Why askest thou me? ask them which heard me, what I have said unto them: behold, they know what I have said?" Was he telling the high priest to seek legal proof against him by procuring the testimony of witnesses as required by law, or was he simply trying to evade the issue by telling him to secure the information he sought

elsewhere, but not from him? A. I really cannot explain that, sir.¹⁴⁹

Q. But no matter what Jesus meant to say, wasn't this a rather bold way of expressing himself when he was facing accusations before the high priest? If he meant to stand by his legal rights which gave him the privilege of demanding the testimony of two or more witnesses, why did he not demand this in a more appropriate manner? A. I don't know, sir.

Q. Would you have the Court and the jury believe your statement (XVIII : 22), that a court-attendant dared strike Jesus with the palm of his hand? True, Jesus was bold and abusive in his reply to the high priest, and perhaps he deserved to be punished. But did not the high priest, whether it was Annas or Caiaphas, know how to punish a man for such contempt of court?¹⁵⁰ A. I am stating only facts, sir.

Q. And what about the high priest himself? Didn't he say anything at all about the abusive reply made by the prisoner? Do you wish us to believe that the court-officer understood that Jesus had insulted the office of the high priest, but that the proud high priest did not understand? Or did he simply swallow the insult in silence? A. I cannot answer that, sir.

Q. And what did Jesus say to the man who struck him? A. He said to him (XVIII : 23): "If I have spoken evil, bear witness of the evil; but if well, why smitest thou me?"

Q. Now, St. John, had you so poor a judgement of Jesus' wisdom and logic that you put such words into his mouth? Didn't the Nazarene realize that it was improper and impolite to make such a reply to the highest official in the land? Didn't he know that he was being impolite and abusive? Was this the extent of the wisdom of a celestial being, a partner of the Almighty?

Mr. Christiani: Your Honor, I object to the statement of Counsel on the ground that it is incompetent, irrelevant, and immaterial. I repeat, Your Honor, that the witness is not obliged to do any more than state facts as they occurred. He cannot be called upon to interpret or to comment upon those facts. I therefore move that this question be disallowed.

Mr. Ben Yehudah: Your Honor, this is the very gist of the issues involved. The Defense does **not** concede that everything stated in the Johannine Gospel is true and irrefutable. We contend that most of the statements, especially those reporting the so-called trial of Jesus, were based on myths and popular legends which were embodied in the witness' Gospel without regard to their conformity with human experience or logic, and were included whether or not they confirmed or contradicted the divinity of the Nazarene. It is our contention that the more such statements run counter to the theory that Jesus was a godly being, the more we are convinced that they are not based on fact. In this instance, for example, the witness testified that Jesus had so little conception of what constituted proper demeanor in the presence of a high official, that he gave an insulting reply to the high priest, and was not even aware of it. Who of us in this courtroom would say, in reply to a civil question put to him by the judge, "if you wish to know what you are asking me about, go find it out for yourself by asking some one else"? It is therefore my contention that Jesus could not have said to the officer who had struck him, "If I have spoken evil, bear witness of the evil; but if well, why smitest thou me?" If the witness can justify such a statement on the part of his divine lord, it is his privilege and duty to do so.

The Court: Objection overruled. Let the witness answer the question put to him by the Attorney for the Defense; it is a proper question.

(Cross-examination resumed by Mr. Ben Yehudah:) Q. Can you tell us how it was possible that your lord failed to understand that his reply to the high priest was abusive and impolite? A. No, sir, I am unable to explain that. However, I insist that he made that statement to the officer who had struck him.¹⁵¹

Q. Now, St. John, your colleague St. Matthew testified¹⁵² that one of the great moral principles promulgated by your lord in the Sermon on the Mount was: "But I say unto you, That ye resist not evil: but whosoever shall smite thee on the right cheek, turn unto him the other also." In the very inci-

dent you related, Jesus had an opportunity to put this great moral precept into practice. But instead of turning his unsmitten cheek, he rebuked the officer, according to your narrative. If we are to accept your story as factual, then your master did not practice his own preaching. Are you certain that Jesus had spoken thus to the officer? A. I am sure he did, sir. But I cannot reconcile this inconsistency.¹⁵³

Q. You testified (XVIII : 24) that "Annas had sent him bound unto Caiaphas." Can you tell us when he sent him to Caiaphas? Was it before or after the so-called investigation? A. I am not sure, sir.

Q. From your account, then, it is impossible to know whether that investigation was made by Annas or Caiaphas. Is that right, St. John? A. Yes, sir.¹⁴⁵

Q. You are certain, however, that it was the ex-high priest Annas who sent Jesus to Caiaphas? A. I am positive of that.

Q. You have heard the first witness testify¹⁵⁴ that the officers who had arrested the Nazarene at Gethsemane had brought him directly to the high priest Caiaphas. Are you sure that you are right and that the other witness is in error? A. I can vouch for my version, sir.

Q. Is it your opinion, St. John, that the high priest who conducted the investigation of Jesus was an imbecile? A. Of course not.

Q. Then how can you explain the idiotic manner in which he conducted that investigation? Just what did he accomplish by it? He neither insisted upon nor obtained a single sensible reply from the prisoner before him. He reached no conclusion as to his guilt or innocence, and in fact, the prisoner was not accused of any offense at all. Then, to make the entire procedure thoroughly nonsensical, this high priest bound the prisoner and sent him to his son-in-law Caiaphas, without a single charge being preferred against him. Do these seem like the actions of a head, or a member, of a constituted court of the highest jurisdiction? A. I cannot answer this question.¹⁵⁵

Q. You said (XVIII : 25) that Simon Peter was warm-

ing himself at this time. Where was he? A. In the palace of the high priest Caiaphas.

Q. Since you made no mention of that mysterious disciple as having been present in the palace of the high priest Caiaphas, how had Peter obtained entrance into his palace? A. I don't know.

Q. Who asked Peter the second time, "Art not thou also one of his disciples?" A. The people who were present there.

Q. Are you certain, then, that the second identification of Peter was made neither by one man, nor by one woman, but by a number of people? A. Definitely, sir.

Q. But you have heard St. Peter himself testify that the second identification was made by the same maid who had made the first identification; St. Matthew testified that it was made by another maid; and St. Luke testified that he was identified by a man.¹⁵⁶ Do you still insist that it was made by a number of people? A. I do.

Q. Can you tell us where this second identification of Peter took place? A. There, in the palace of the high priest.

Q. Are you certain that it was in the palace? Are you positive that Peter did not leave the hall after the first denial and go out into the porch? A. I am positive of that, sir.

Q. You have heard St. Peter himself testify¹⁵⁷ that he had gone out on the porch after his first denial, and this was corroborated by St. Matthew.¹⁵⁸ Do you still hold to your version of the story? A. Yes, sir, I do.

Q. To the best of your knowledge, did Peter substantiate the second denial by an oath, as you have heard St. Matthew testify? A. No, sir.¹⁵⁹

Q. Who identified Peter the third time? A. A servant of the high priest, "a kinsman of him whose ear Peter cut off" (XVIII : 26).

Q. And what did that servant say to Peter? A. He said to him (XVIII : 26), "Did not I see thee in the garden with him?"

Q. You are certain of that, aren't you? A. Of course I am.

Q. But you have heard St. Peter himself testify¹⁶⁰ that this time he was recognized by the people who were standing around him, and that they said to him, "Surely thou art one of them, for thou art a Galilean, and thy speech agreeth thereto."¹⁶¹ Do you still hold to your version that he was recognized by a kinsman of the maimed officer? A. I have nothing to add to my original statement, sir.

Q. You testified (XVIII : 27) that "Peter then denied again." Did Peter swear and curse on this occasion to substantiate his third denial of the lord. A. Not to my knowledge.

Q. But you have heard St. Peter himself and St. Matthew state¹⁶² that Peter did curse and swear. What motive did you have in omitting this fact from your testimony? A. My tradition failed to mention this cursing and swearing by Peter.

Q. What happened immediately after Peter's third denial? A. The cock crew immediately after that (XVIII : 27).

Q. Didn't Jesus turn and look at St. Peter after he had made the third denial, as you have heard the third witness for the Prosecution testify in this Court?¹⁶³ A. No, sir.

Q. Did Peter walk out of the hall after the cock crew, that is after the third denial, and weep bitterly, as was averred by the three Synoptic witnesses?¹⁶⁴ A. Not that I know of.

Q. From the palace of Caiaphas, they led Jesus to the hall of judgement early in the morning (XVIII : 28). Is that correct? A. Yes, sir.

Q. Before they took him to the hall of judgement, did the members of the Great Sanhedrin meet to hold a consultation to decide what should be done with the prisoner, as you have heard St. Matthew and St. Peter testify?¹⁶⁵ A. Not according to my records, sir.

Q. Did the members of the Sanhedrin convene in a regular court-session to put the Nazarene on trial in the morning before he was taken to the hall of judgement, as was told by St. Luke?¹⁶⁶ A. Not that I know of, sir.

Q. According to your testimony (XVIII : 28), the prisoner was taken inside the judgment hall, but the accusers, the chief priests and the other Jewish dignitaries, did not enter the judgment hall? A. That is correct, sir.

Q. And what prevented the Jewish dignitaries from entering the hall? A. If they entered the hall, they would have become defiled and would have been unable to eat the passover that night (XVIII : 28).

Q. They would have become defiled merely by entering the judgment hall? Was that in accordance with the Jewish religious law? A. Yes, sir.

Q. Are you certain that such a law was then in existence among the Jews? A. Yes, sir.¹⁶⁷

Q. According to your testimony, then, the Nazarene was brought before the Roman Procurator not on the first day of Passover, as was told by the other three witnesses for the Prosecution,¹⁶⁸ but on the day before Passover? A. That is correct.

Q. Now, St. John, you have heard St. Matthew testify in this Court that Jesus said to his disciples, including you, that he would be crucified on the feast of Passover.¹⁶⁹ If we accept your testimony that the trials and the crucifixion took place on the day before Passover, then we must arrive at one of these conclusions: either that the prophecy of your lord did not prove to be true, or that St. Matthew misquoted your lord. Which is it? A. I can only reiterate my assertion that it occurred on the day before the Passover.

Q. You testified (XVIII : 29) that Pilate went out unto them, the Jewish dignitaries who brought the prisoner. Who was this Pilate anyway? You never mentioned his name before this. Why do you now introduce him so abruptly without explaining who he was or what post he held?¹⁷⁰ A. He was known to everybody; any introduction would have been superfluous.

Q. By the way, were you an eyewitness of the events that took place in the hall of judgment before Pilate? A. I might have been there; I don't recall that quite clearly.¹⁷¹

Q. What did Pilate say to the Jewish dignitaries who remained outside? A. He said to them (XVIII : 29): "What accusation bring ye against this man?"

Q. Shall we assume, then, that Pontius Pilate did not know what the nature of the prisoner's offense was, and he

was taken unaware when the prisoner was brought before him on trial? A. It would appear that way, sir.

Q. But you testified before (XVIII : 3) that Pilate had sent a whole cohort of Roman soldiers to help in the arrest of Jesus, didn't you? A. Yes, sir, I did.

Q. Wouldn't the Jewish officials have to explain to the Roman Procurator the nature of Jesus' offense in order to procure his help? How is it, then, that he now knew nothing about the accusation? A. I cannot say, sir.¹⁷²

Q. Now, let us get these facts straight, St. John. According to your testimony, the procedure in the trial of Jesus before the Roman Procurator, Lucius Pontius Pilate, was as follows: the accusers, the Jewish dignitaries, who brought the prisoner, remained outside, and the prisoner himself was taken inside the judgment hall; and the proud and haughty judge, Pontius Pilate, kept walking in and out of the judgment hall, first to talk to the accusers, and then to talk to the prisoner. Is this an accurate picture? A. Yes, sir. That is exactly how it happened.

Q. Wasn't this a rather peculiar procedure to be followed by a Roman judge and by the members of the highest court at Jerusalem? A. No doubt, it was very peculiar, sir.

Q. Are you certain that Pilate at the very beginning of the trial did not ask Jesus, "art thou the king of the Jews?" And did not Jesus respond, "thou sayest," as you have heard St. Matthew and St. Peter testify in this Court?¹⁷³ A. No, sir. Pilate merely asked the Jewish dignitaries to tell him what accusation they brought against the prisoner.

Q. You have heard St. Luke testify that the Jewish judges, in the first instance, preferred three distinct charges against the Nazarene: (1) sedition, (2) insurrection, and (3) treason. Are you certain that the Jewish judges preferred no such charges? A. I am certain of that also.¹⁷⁴

Q. According to your testimony (XVIII : 30), the Jewish doctors of the law and the chief priests refused to prefer specific charges against the prisoner even after they were requested by the Roman judge to do so. But they replied: "If he were not a malefactor, we would not have delivered him

unto thee." Is that correct? A. It is correct.

Q. Isn't it strange, St. John, that the Jewish jurists made so irresponsible a reply to Pilate's question? He wanted to know what charge they wished to lodge against the prisoner, and they, like little children, responded, "if he were not a malefactor, we would not have brought him unto thee." Why, this is self-evident; you did not need trained legal minds, great jurists, to assert this! But what was the nature of the charge, please? Can anyone conceive of an answer more prejudicial to their own cause than the one you say they gave to Pilate?¹⁷⁵ A. I recorded facts, sir.

Q. In other words, you wish us to believe that the Jewish jurists were not only bloodthirsty, lawless, mean, wicked, and dishonest, but that they were also exceedingly stupid and impolite? A. Facts speak for themselves, sir.

Q. According to your testimony, St. John, the Jewish jurists did not try Jesus at all at any time, neither during the night nor in the morning, and consequently did not render a verdict of guilt against him. Is that right? A. Yes, sir.

Q. Can you explain, then, why those learned jurists brought Jesus to the Roman Procurator if they did not care to accuse him of any offense? Did they expect the Roman Procurator to trump up a charge against the prisoner? I find this trial before Pilate exceedingly difficult to follow. Can you throw a little more light on the subject?¹⁷⁶ A. I related all the facts as they actually happened, and I can add nothing to what I have already stated.

Q. You testified (XVIII : 31) that Pilate said to the Jews, "Take ye him, and judge him according to your law." And then you testified again (XVIII : 33) that Pilate accused Jesus of the capital offense of treason, for he asked him, "Art thou the king of the Jews?" Do you mean to say that the Roman Procurator would on this occasion give the Jewish leaders, whom he hated violently, the sole authority to try a case, according to Jewish law, that involved the political offense of treason against Rome?¹⁷⁷ A. This was exactly what he did.

Q. And what did the Jewish authorities reply to Pilate?

A. They said, "It is not lawful for us to put any man to death."

Q. You have heard St. Matthew and St. Peter testify¹⁷⁸ that the Jewish Sanhedrin held a court session during the night and actually found Jesus guilty of the capital offense of blasphemy. If such was the case, why did not the Jewish leaders now tell Pilate that they had already tried and judged him according to their own system of jurisprudence, and found him guilty, and that they had brought the convicted prisoner to him to be executed, because, according to the Roman rules, they couldn't put any man to death?¹⁷⁹ Wouldn't such an answer be more logical than the answer which you recorded? A. It might have been more logical; but what I have recorded is true.

Q. According to your testimony (XVIII : 31), the Jewish jurists claimed that they no longer had the right to execute a death sentence. Is it not rather strange that the Jewish leaders had to remind the Roman Procurator, the personal representative of Tiberius, that the Romans had taken away from them the right to inflict capital punishment? A. I admit it is strange, sir.¹⁸⁰

Q. Now let us analyze your testimony. What did the Roman Procurator actually advise the Jewish jurists to do according to your statement (XVIII : 31)? When he advised them to try the Nazarene in their own courts of law, he apparently was under the impression that some mere religious infraction was involved which would constitute no offense whatever in the eyes of a Roman. (This assumption, of course, can be maintained only if we disregard the reports made by St. Matthew, St. Mark, and St. Luke.) Is this assumption correct? A. I believe it is, sir.

Q. Then how can you explain the reply made by the Jewish jurists? Even if they were not permitted to exercise the *jus gladii*—the right of capital execution, they were not prevented by the Romans from hearing and determining cases involving capital punishment which would be confirmed by the Roman authorities. What, then, was the meaning of their answer? A. I don't know, sir.

Q. You testified (XVIII : 32) that the Jewish jurists declined Pilate's suggestion to try the Nazarene in their own court, "That the saying of Jesus might be fulfilled, which he spake, signifying what death he should die." Was this verse a part of your original testimony? A. Certainly.

Q. In other words, it had been preordained that Jesus should not die at the hands of the Jewish court of law, in order that his own prophecy should not prove false? A. That is correct, sir.

Q. But neither you, nor Peter, nor Luke testified that your lord had ever predicted that he would be crucified. Where, then, is this prophecy contained?¹⁸¹ The only witness who mentioned any such prediction is St. Matthew.¹⁸² How can you explain that? A. I cannot explain that.

Q. Now, St. John, in verse 31, *ante*, you stated that the reason the Jews refused to try Jesus in their courts of law was based on the historic fact that they no longer had the authority to try cases involving capital punishment. That is correct, is it not? A. Definitely.

Q. But now, in verse 32, you stated that the reason the Jewish jurists refused to try the Nazarene was that his prophecy had to be fulfilled. You admit, then, that if the Jews had the right to try and execute the Nazarene for the capital offense of blasphemy, the method of executing him would be stoning and not crucifixion. But, since the Nazarene himself had foretold that he would be crucified and not stoned, the hands of the Jewish jurists were tied by destiny, and they could no longer try him in their own courts. So, according to your present testimony, the Jewish jurists were guided by Heaven to deny a jurisdiction that they actually might have had. Aren't these two statements contradictory? A. They would seem to be, sir, but I am sure they are not really contradictory.

Q. You testified (XVIII : 33) that Pilate "entered into the judgment hall again." Did not this Roman official behave like an errand boy running back and forth, inside and outside the judgment hall, to converse now with the motley

crowd and now with the prisoner? A. I am not responsible for the actions of Pilate, sir.

Q. But are you sure that the prisoner was not then in the presence of the accusers? A. I am sure of that, sir.¹⁸³

Q. Now, St. John, according to your testimony (XVIII : 30), the Jewish leaders actually refused to prefer charges against the Nazarene, although Pilate invited them to do so. Isn't that correct? A. Yes, sir.

Q. Can you explain to the Court and the ladies and gentlemen of the jury, then, what now prompted Pilate to ask the prisoner (XVIII : 33), "Art thou the king of the Jews?" This question was unexpected, sudden, and unprovoked. There had been no statement made previously either by Jesus or by the Jewish authorities from which such a conclusion might have been drawn. And Pilate had had no prior information regarding the guilt of the Nazarene, according to your own testimony (XVIII : 29). How, then, did Pilate surmise the claim of kingship by Jesus? A. I am unable to explain why Pilate asked that question.

Q. You stated (XVIII : 35) that, in answer to Pilate's question, Jesus replied, "Sayest thou this of thyself, or did others tell it thee of me?" Is that correct? A. Yes, sir.

Q. Now, St. John, wasn't this an arrogant, if not a foolish, reply? Imagine a prisoner in a court of justice, charged with treason, a crime punishable under the Roman law by crucifixion. Would any sane man under such circumstances ask the judge whether the judge himself had invented the charge against him, or whether he had heard it from some one else? Are you sure you are quoting your lord correctly, St. John? A. Of course, I am.

Q. You have heard the three Synoptic witnesses testify¹⁸⁴ that the Nazarene admitted to Pilate at once that he was the king of the Jews, by answering, "Thou sayest." But you say that the Nazarene did no such thing, that instead he put up a bold front and engaged in a lengthy conversation with Pilate (XVIII : 34-38). Do you maintain that your version is the true one? A. I certainly do.

Q. By the way, St. John, since only the Nazarene was taken inside the judgement hall, and all others remained outside, how did you happen to record the exact conversation that took place between Jesus and Pilate? Didn't you also remain outside, lest you should become defiled and unfit to eat the paschal lamb that night? A. I did remain outside, sir. But I was able to record the conversation by divine inspiration.

Q. To be sure, divine inspirations would not impute imbecilic questions and answers to a Roman judge and Jewish learned jurists. Wouldn't you admit that even divinely inspired records must make sense and be in conformity with human experience?

Mr. Christiani: Your Honor, I object to this question as being incompetent, irrelevant, and immaterial. How can Counsel for the Defense demand that the witness explain divinely inspired statements, matters that are not within the purview of mortals.

Mr. Ben Yehudah: Your Honor, my learned opponent is arguing in circles. This is the very thing I wish to disprove by my cross-examination. I wish to show that the testimony offered by the Prosecution is not factual but based either on invention or myth. We certainly cannot explain away illogical, inconsistent statements by attributing them to divine inspiration.

The Court: Objection overruled.

(Cross-examination resumed by Mr. Ben Yehudah:) Q. You stated (XVIII : 35) that Pilate answered, "Am I a Jew? Thine own nation and the chief priests have delivered thee unto me: what hast thou done?" At no time in your testimony have you mentioned that the Jews as a nation had participated either in the arrest or in the prosecution of Jesus. What prompted Pilate now to accuse the whole nation? Were you motivated by intense hatred toward the Jews to put these words in the mouth of Pilate?¹⁸⁵ A. I recorded facts, sir.

Q. According to your testimony, it would appear that Pilate, the once proud Roman tyrant, now began to cringe before his prisoner, and tried to convince him that he, Pilate,

was innocent, for only a Jew and not a Roman could have been guilty of so dastardly a persecution. Is this the behavior of a Roman tyrant, St. John? A. These were the actual facts, sir.

Q. Now, according to your statement, Pilate did not say, in his reply to Jesus, that the Jews had preferred the charge of treason against him by stating that he had claimed to be the king of the Jews. He simply told him, "Thine own nation and the chief priests have delivered thee unto me:" they brought you as a prisoner, but without telling me what you were guilty of. And so he asked Jesus, "What hast thou done?" What is the nature of your offense? Is this correct? A. Yes, sir, it is.

Q. Pilate was, then, irresponsible again, for he did not answer the Nazarene's question as to who had told him that Jesus had claimed to be the king of the Jews? A. Apparently so, sir.

Q. Did Jesus, at any time during the interrogation, remain silent, so that Pilate marvelled, as you have heard stated by St. Matthew and St. Peter?¹⁸⁶ A. I know of no such incident, sir.

Q. You testified (XVIII : 36) that Jesus replied to Pilate, "My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews." Could this answer have possibly had any meaning in the mind of Pilate, a Roman pagan? What did he know of another world? A. I don't know, sir.

Q. Are you certain that your lord boasted to Pilate that if his kingdom had been of this world, his servants would have fought for him? A. Yes, sir.

Q. But there is an implied untruth in that statement as well as an empty boast—an untruth, because one of his servants, Peter, did fight for him, heroically severing the ear of Malchus, the servant of the high priest.¹⁸⁷ And an empty boast, because the few faithful servants he did have on this earth, turned like cowards and fled in the face of danger at Gethsemane, if we are to believe the testimony of St. Matthew and St. Peter.¹⁸⁸ How, then, would your lord make such a state-

ment to the Roman Procurator?¹⁸⁹ A. The fact remains that he did say this to Pilate.

Q. Did Jesus tell Pilate, that his men would fight, "that I shall not be delivered to the Jews"? A. Of course he said that.

Q. You will admit, St. John, that your lord knew Pilate to be a cruel and bloodthirsty enemy of his fellow-Jews. He knew, for example, that Pilate had made the blood of the Galilean Jews mingle with their sacrifices.¹⁹⁰ Do you mean to tell us, then, that in the presence of this tyrant, Jesus would refer to his compatriots as "the Jews"? Isn't it more likely that he would have used the term "my people," or "my brethren," unless he deliberately wished to curry favor with the Roman by speaking contemptuously of his people? What is your opinion, St. John?¹⁹¹

Mr. Christiani: Your Honor, I believe it is high time to object to this line of questioning. I have been very patient with my learned opponent, and have tried not to interrupt him even though he has often actually overstepped the limits allowed by law. But the last question asked by Counsel is entirely too complicated and perplexing, and calls for the self-impeachment of the witness by an unwarranted expression of opinion. The witness has already stated the facts. That should be sufficient.

Mr. Ben Yehudah: Your Honor, I believe my question was put simply, and I had no intention to confuse the witness. It was my purpose to show, that since the witness by his own admission did not himself hear the words alleged to have been uttered by Jesus, he mistakenly recorded a false tradition. By such an admission the witness would be impeaching not himself but a tradition which he saw fit to incorporate in the Gospel.

The Court: Objection overruled. Let the witness answer the question.

Mr. Ben Yehudah (resuming the cross-examination of St. John): Q. Do you still believe that the Nazarene used the term "the Jews" in his conversation with Pilate? A. Yes, sir. I believe everything contained in my Gospel.

Q. You testified (XVIII : 37) that "Pilate therefore said unto him, Art thou a king then?" Had not Jesus expressly told him, as you have stated (verse 36, *ante*) that he was not a king of this world? To a Roman pagan, would not a claimant to a crown and to a kingdom "not of this world" appear to be a mere lunatic?¹⁹² Would he seriously consider such a claim? A. Nevertheless, Pilate asked the question.

Q. You stated (XVIII : 37) that Jesus then admitted that he was a king, and he began to give an explanation of his claim. Was the second explanation now given by Jesus more comprehensible to the Roman Procurator than the first (verse 36, *ante*)? Certainly this latter explanation could not have been intelligible to a Roman, or for that matter, to anyone but a trained theologian. Would not Pilate, now more than ever, be convinced that the prisoner before him was suffering from lunacy or some insane obsession? Is it surprising, then, that this stern Roman failed to understand on what ground the Jewish jurists, as you alleged, had sought the Nazarene's conviction? A. I don't know, sir.

Q. You testified (XVIII : 38) that Pilate asked Jesus, "what is truth?" Did he want a philosophical explanation? And why ask such a question of a claimant to the throne "not of this world"? Did he not have access to Roman philosophers? Or was the question merely rhetorical, since he did not wait for an answer? A. I cannot answer that, sir.

Q. I see, St. John, you merely wrote down divinely inspired statements, without considering their plausibility. Now, you testified (XVIII : 38) that the Roman Procurator, still behaving like an errand boy, again went out to the crowd and remonstrated with them, trying to convince them that "he had found in him no fault at all." Poor Pilate, what a pathetic and miserable figure they make of you, these Apostles! Is this plausible? A. That is what he did, sir.

Q. According to your testimony (XVIII : 38), Pilate immediately reported to the Jews, "I find in him no fault at all." Isn't this an emphatic statement of a verdict of acquittal? A. It certainly is. There can be no doubt about that.¹⁹³

Q. Would you say that the reason the Procurator had

found Jesus innocent was that he had claimed to be a king of another mysterious world, but not of this world, and that he could not be found guilty of treason because he did not challenge the authority of the terrestrial Roman Emperor Tiberius? A. Yes, sir, that was the true reason for Pilate's verdict.

Q. To the best of your knowledge, did Pilate send Jesus to be tried by Herod Antipas, tetrarch of Galilee, who happened to be in Jerusalem at that time? And did Herod, after hearing Jesus, array him in a gorgeous robe and send him back to Pilate, as you have heard St. Luke testify in this Court? A. No, sir, I know nothing of that incident.¹⁹⁴

Q. According to your testimony (XVIII : 39), Pilate asked the Jews whether he should release unto them "the king of the Jews." Pilate had already declared the prisoner innocent, and yet he now asked the mob to tell him whether he should release him? In all sincerity, St. John, is it not ridiculous to state that the haughty and dignified Roman Procurator, backed by all the power of Rome, would request a Jewish mob to tell him whether or not to release a prisoner "in whom he had found no fault at all"? Wasn't the Roman dictator's final and emphatic decision of innocence to be respected by the subjugated Jews?¹⁹⁵ A. I recorded incidents as they occurred, sir.

Q. Now, St. John, according to your own records, up to this point in the so-called proceedings before the Procurator, neither the accused, nor the accusers, nor the judge had yet shown that Jesus claimed to be king of the Jews. Why, then, did Pilate now refer to him in those terms? A. I don't know, sir.

Q. Shall we conclude that you intended to record that Pilate meant to ridicule the claimant to the throne of Israel, and to taunt, at the same time, the Jews and their leaders by referring to the Nazarene as their king?¹⁹⁶ Is it not as if he had said, this lunatic whom you have brought before me to be convicted of an offense, is your king, the king of the Jews; shall I release him in accordance with my custom of releasing to you one prisoner at this festival season? Isn't

this a proper explanation of Pilate's statement? A. It would seem to be.

Q. Since Pilate was addressing a Jewish crowd, as you have told us (XVIII : 38), why did he not say to them, "shall I release to you your king," instead of using the expression "the king of the Jews"? Wouldn't that have been more natural? Or was he simply represented by you as emphasizing his sarcasm to hurt their national pride? A. Your last statement is, no doubt, a correct explanation.¹⁹⁷

Q. According to your testimony (XVIII : 34), the Jews were now confronted with a serious charge by the dreaded Roman tyrant, that the prisoner before him was their king. If in any way the Jews had recognized this alleged claim by the Nazarene, would they not have been subject to severe reprisals as insurrectionists at the hands of Pilate and his Roman legions? A. Yes, sir.¹⁹⁸

Q. And yet you wish us to believe that the Jewish leaders silently accepted the charge made by Pilate that the prisoner before him was their king? According to your own testimony (XIX : 5), the Jews did, later in the alleged proceedings, protest to Pilate, saying, "We have no king but Caesar." Why did they remain indifferent to such an accusation now? Did they fail to understand the gravity of the charge? A. I cannot explain that, sir.

Q. You testified (XVIII : 40) that they "all cried out again." What do you mean by "again?" Had they "cried out" before this? Why did you not tell us so? A. It was an oversight, sir. They must have cried out at least once before.

Q. Now, Barabbas is here mentioned by you for the first time. Why have you seen fit to introduce him so abruptly? A. A mere matter of style, sir.¹⁹⁹

Q. To the best of your knowledge, did Pilate ask the Jews whether he should release to them Barabbas or Jesus? A. Pilate did not mention Barabbas to them at all. It was they, the Jews, who demanded that Barabbas be released instead of Jesus (XVIII : 40).²⁰⁰

Q. Didn't Pilate's wife send him a message to have noth-

ing to do with the Nazarene because she had suffered many things in a dream on account of this just man, as you have heard St. Matthew testify in this Court? A. No, sir, I know nothing of this anecdote.²⁰¹

Q. Did not Pilate know that the Jewish leaders had delivered Jesus into his hands because of envy, as was told by St. Matthew and St. Peter?²⁰² Why did you see fit to omit this very interesting fact? A. I could not read Pilate's mind, sir.

Q. To the best of your knowledge, did Pilate offer to compromise with the Jewish accusers by suggesting that he scourge the Nazarene and then let him go free, as was told by the third witness for the Prosecution?²⁰³ A. No, sir, he made no such proposal to them at all.

Q. But didn't he scourge him, nevertheless, without finding him guilty of any offense? A. Yes, he did (XIX : 1).

Q. This scourging inflicted upon the Nazarene could not have been a prelude to crucifixion, because there had been thus far no demand made by the Jews that he be crucified. On what principle, then, did your merciful Pilate inflict this severe punishment upon the victim? A. I don't know.

Q. What logic has this proceeding, St. John? The Jews demanded only that Jesus be not released (XVIII : 40), and in response to their demand, the just Pilate scourged him! Does this sound like common sense to you? A. That is the way it happened.²⁰⁴

Q. According to your testimony (XIX : 2), the Roman soldiers made sport of Jesus, although he had not been declared guilty, but innocent, by their superior? A. Yes, sir.

Q. But you have heard St. Matthew and St. Peter testify²⁰⁵ that the mockery of Jesus by the Roman soldiers took place after the Procurator decided to crucify him. Is their version incorrect? A. I can vouch for my version only.

Q. To your knowledge, did they also spit at him and pay him mock homage?²⁰⁶ A. No, sir.²⁰⁷

Q. You testified (XIX : 4) that, after the mockery and the scourging, Pilate went out to the people again and said to them; "Behold, I bring him forth to you, that you may

know that I find no fault in him." Isn't it true that immediately after mocking him, the soldiers took him out to be crucified, as was told by the other witnesses for the Prosecution?²⁰⁸ A. Not to my knowledge, sir.

Q. Are you aware, St. John, that you are picturing Pilate as an absolute idiot? Do you mean to say that after subjecting the Nazarene to the terrible torture of scourging and to the humiliating mockery of the soldiers who had branded him as "king of the Jews" (XIX : 3), Pilate then announced to the Jews, "behold, I bring him forth to you, that ye may know that I find no fault in him!" A. I recorded the facts as they occurred, sir.

Q. You stated (XIX : 5) that Pilate brought Jesus out to show him to the Jewish leaders and to the rest of the multitude, "wearing the crown of thorns, and the purple robe. And Pilate saith unto them, Behold the man!" What was Pilate's object in bringing out the Nazarene for inspection? The prisoner, whom Pilate was so anxious to free, had spent a sleepless and agonizing night; he had suffered the horrible pain of scourging, the mockery of the merciless Roman soldiers who had struck him with the palms of their hands, and the great anguish of spirit when they had placed a crown of thorns upon his head and cried in derision, "hail, the king of the Jews." Did the merciful Pilate bring him forth in such a condition to awaken the sympathy of the Jewish leaders and the mob, to induce them to withdraw the charges against him?²⁰⁹ A. Yes, sir, that was his object.

Q. You testified (XIX : 6) that the chief priests and officers "cried out, saying, Crucify him, crucify him." Was this the first time, according to your testimony, that the Jews demanded crucifixion? A. Yes, sir.

Q. You wish, then, to draw this dreadful picture into the minds of posterity, that when the cruel Jewish judges saw the Nazarene in his awful plight, the bloodthirsty men of learning became infuriated. Instead of awakening sympathy in their hearts, the miserable appearance of the suffering prisoner had the opposite effect: it aroused hatred and untold cruelty. And all this is peculiar with you, St. John.

No other witness recorded anything like that in their documents. Why? What was your motive in embodying such an unbelievable picture in your Gospel? A. I recorded nothing but facts, sir.

Q. And you say (XIX : 6) that Pilate's reply to the Jews was, "Take ye and crucify him: for I find no fault in him?" A. Yes, sir, that is correct.

Q. Didn't Pilate know that crucifixion was not included in the Jewish system of jurisprudence as a method of capital punishment? A. He must have known it, sir.

Q. Why, then, would he say to them, "take ye and crucify him?" A. I don't know, sir.

Q. What did the Jewish jurists reply to the Roman Procurator? A. They answered (XIX : 7): "We have a law, and by our law he ought to die, because he made himself the son of God."²¹⁰

Q. Now, St. John, according to your version of the alleged proceedings, there had been an investigation of some sort, either by Caiaphas or his father-in-law Annas (XVIII : 13-25), but no regular court trial had been held by the Jews. No witnesses had been summoned, no testimony taken, no charge preferred against the prisoner, and no admission had been made by the alleged culprit. At no time during your testimony thus far, has the fact been brought out that Jesus had claimed to be the "son of God." When, then, did he make himself the son of God? It is either they, the Jewish leaders, who were stating an untruth to Pilate, or you who recorded an untruth for posterity. Now, which is it? A. I recorded nothing but the truth, sir.

Q. But were not these Jewish wise men of Jerusalem again proving themselves to be imbeciles according to your testimony? Why did they fail to press the charge already made by the Roman Procurator, that the prisoner was guilty of the political offense of treason against Rome? Why foolishly invoke a new charge, a religious offense, that of blasphemy apparently, and demand that Pilate take cognizance of their religious law and condemn the prisoner to death? A. I cannot explain their evil actions, sir.

Q. Now, St. John, you testified again (XIX : 12) that the Jews cried out, "whosoever maketh himself a king speaketh against Caesar." Consequently, they again pressed the charge of treason before Pilate. Aren't you rather inconsistent with yourself? A. Whatever I stated in my Gospel, sir, was true.

Q. You testified (XIX : 8): "When Pilate therefore heard that saying, he was the more afraid." To your knowledge, was the Roman Procurator afraid before this, that he now became "the more afraid?" A. I presume so.

Q. But what was the cause of his fear before this? There is nothing in your record to explain it. A. I don't know, sir.

Q. Do you think that Pilate was really frightened when he heard that Jesus claimed to be the son of God. In Roman mythology, were there not many who claimed to be sons of gods, who walked the earth in human form and guise? This idea could not have been strange to him at all. Had he, in fact, believed the claim to be true, would he not have assumed the Nazarene to be a descendant of some unknown pagan god like the gods of his own people? Certainly he could not have understood by this expression that Jesus claimed to be the son of a spiritual God, an incorporeal One. Why, then, did he become so frightened? A. You forgot, sir, that this pagan also knew that the sons of gods in his mythology were strong and powerful men capable of inspiring physical terror.²¹¹

Q. But, St. John, Pilate had had occasion to convince himself that such was not the case with Jesus. Hadn't he scourged, mocked, and beaten him? Couldn't he see for himself that no bodily harm could befall him from this frail, weak, bleeding prisoner, attired in mock-regal dress? A. Nevertheless, Pilate was frightened, sir.

Q. You testified (XIX : 9) that Pilate "went again into the judgment hall, and saith unto Jesus, Whence art thou?" What exactly did Pilate wish to ascertain from the Nazarene? Did he wish to know whether he was really a descendant of the Jewish God? A. I am not certain, sir.²¹²

Q. Why, then, did Jesus suddenly become reticent?

Why didn't he seize this splendid opportunity to expound the new faith? Had he not already hinted (XVIII : 37) that he had been born for this purpose? Why did he not elaborate on his new religious dogma now, when Pilate had opened the door for him? A. The wisdom of the lord is not for us to question, sir.

Q. Is it not possible that Pilate wished merely to ascertain from which province and town Jesus had come, and the Nazarene was afraid to tell him the truth, that he had come from Galilee, because such an admission might incriminate him still further? A. It is possible, sir.

Q. But you yourself testified (XIX : 11) that Jesus was defiant and not afraid brazenly to defy Pilate. As a matter of fact, hadn't the Nazarene spoken too much already to fear further incrimination? A. I really don't know, sir.

Q. What did the Roman Procurator do when Jesus refused to answer his question? Did he simply marvel at his silence, as you have heard St. Matthew and St. Peter testify in this Court?²¹³ A. No sir. He was annoyed. He said (XIX : 10): "Speakest thou not unto me? knowest thou not that I have power to crucify thee, and have power to release thee?"

Q. According to your testimony (XIX : 8), Pilate had only a few moments ago been terrified upon hearing that Jesus had claimed to be the son of God. Had his fear vanished that he now was so bold that he boasted of the power to crucify Jesus (XIX : 10)? A. I don't know, sir.

Q. Are you certain, St. John, that Pilate said to Jesus (XIX : 10), "I have the power to release thee?" A. I am certain of it, sir.²¹⁴

Q. You stated (XIX : 11) that Jesus boldly replied that Pilate could have no power over him "unless such power were given him from above." Wouldn't such a reply tend to aggravate matters? A. Our lord had no fear of the Roman, sir.

Q. Did Jesus tell Pilate, as you stated (XIX : 11): "He that delivered me unto thee hath the greater sin?" A. Precisely, sir.

Q. Do you know whether the "he" referred to Caiaph-

as, or to Judas Iscariot? A. I am unable to tell to whom it referred.

Q. However, you are certain that Jesus did make such a statement, imputing greater sin to those who delivered him to the Procurator, than to the Procurator himself? A. Yes, sir.²¹⁵

Q. You averred (XIX : 12): "And from thenceforth Pilate sought to release him." You testified several times before, St. John, that Pilate had sought to release him, because he had found no fault in him (XVIII : 38, 39; XIX : 4). Why, then, do you now use the word "thenceforth," as if Pilate only now began to seek the Nazarene's release? A. I really don't know, sir.

Q. But had not the Roman Procurator just told Jesus that he possessed the power to release him, according to your testimony (XIX : 10)? Why, then, didn't he exercise that power now? Had the Roman judge lied to the Nazarene? A. No, sir. But now Pilate's hands were tied because the Jews had accused our lord of treason.

Q. Then you admit that Pilate could have released Jesus before, but that he simply had not done so? A. Yes, sir.

Q. According to your testimony (XIX : 12), the Jewish jurists laid down the law to Pilate, that the prisoner by declaring himself to be the king of the Jews had become *ipso facto* guilty of treason. They also pointed out to him that he who releases a culprit charged with the offense of treason against Caesar, renders himself thereby guilty of the same offense. They then intimated in a veiled threat that should the Roman Procurator continue to treat this accusation against the prisoner so lightly, they would denounce him and his actions to the Roman Emperor. Is this correct? A. Yes, sir.

Q. But the mere fact that a prisoner is brought before a Roman magistrate on the alleged charge of treason does not in itself constitute a conviction. The official must first weigh the evidence, and then render his decision. Pilate had already heard the evidence—if evidence it may be called—and had found the Nazarene not guilty of any crime (XVIII : 33-

36, 38). To emphasize his opinion that the prisoner was not dangerous to the crown of Rome, he scourged him, and the soldiers made sport of him, and he brought him forth to the Jews wearing a crown and again announced his decision in no mistaken terms, "that ye may know that I find no fault in him" (XIX : 1-4). Did not Pilate himself claim to have the power to release Jesus, as you yourself testified? Then why could he not have rendered a decision that he had found the Nazarene to be a harmless individual who claimed kingship only over a land not in this world and whose subjects were not of flesh and blood (XVIII : 36)? A. I can't explain the facts, sir.

Q. You testified (XVIII : 28) that when he had first been brought to Pilate, "they led him into the hall of judgment"; that Pilate went in and out of the judgment hall, first to converse with the prisoner and then with the Jewish mob (XVIII : 28-29, 33, 38; XIX : 4, 9). Consequently, according to your testimony, the entire proceedings, as recorded by you up to now, had taken place in the judgment hall. Isn't that correct? A. Yes, sir.

Q. But you now tell us (XIX : 13), that it was not until after the veiled threat had been made by the Jews that Pilate first "sat down in the judgment seat in a place called the Pavement." Isn't the Pavement the same as the hall of judgment? And wasn't he there all the time? What was the Roman Procurator doing until now? Hadn't he been acting in the capacity of judge? A. I really don't know how to explain all this, sir.

Q. You must be aware, St. John, that the judgment seat of the Roman Procurator was situated in but one place, known as the Praetorium (Mark XV : 16). Yet from your testimony (XVIII : 28; XIX : 13), it would appear that "the hall of judgment" was distinct from the "Pavement" where the judgment seat was situated. Can you explain this discrepancy, sir? A. No, sir.

Q. Can you tell us what the Roman Procurator did in the judgment seat in the "Pavement"? According to your testimony (XIX : 13-14), he took no testimony; he pre-

ferred no charges against the prisoner; he did not listen to the complaint made by the Jewish leaders; he did not examine the facts upon which their complaint of treason was based; and he heard no testimony on behalf of the defendant. Did his mere sitting down in the Judgment seat make the trial official? A. I can add nothing to what I have already said, sir.

Q. You testified (XIX : 14), that "it was the preparation day of the Passover." Do you mean that it was the day before the Passover, and not the first day of Passover, as was told by the three Synoptic witnesses? A. Yes sir

Q. And what time of the day was it when Pilate said to the Jews, "behold your king"? A. It was "about the sixth hour," or noon (XIX : 14).

Q. But you have heard St. Peter testify in this Court²¹⁶ that "it was the third hour when they crucified him." According to this witness, then, the Nazarene had been hanging on the cross for three hours at the time you alleged that he was still in the Praetorium displayed to the Jews by Pilate. Whose version is the correct one, St. John, yours or St. Peter's? A. I am responsible for my own version only, sir.

Q. You averred once before (XVIII : 28) "and it was early" when they brought Jesus from Caiaphas to Pilate and now you stated that at the sixth hour of the day the accusers and the judge were still haggling and arguing about the guilt of the prisoner. Can you tell us what occurred in the hall of judgment during that long interval between the early morning and the sixth hour of the day (twelve noon)? A. I have already told you everything that took place there (XVIII : 28-40; XIX : 1-13).

Q. Do you mean to say, then, that whatever you stated with reference to these so-called brief proceedings in the Praetorium took about six hours? A. Precisely.

Q. When you testified (XIX : 16) that Pilate had "delivered him to them to be crucified," did you mean to say that he had delivered him to the Jewish leaders, in spite of the fact that he had found the prisoner guilty of treason?

A. It would seem so from the text of my document.²¹⁷

Q. According to your testimony (XIX : 17), Jesus himself bore the cross to the place of crucifixion. Is that right? A. Yes, sir, it is.

Q. Didn't the Roman executioners compel a certain Simon of Cyrene to bear the cross to Golgotha, as you have heard the other three witnesses for the Prosecution testify?²¹⁸ A. My lord bore the cross himself.

Q. To the best of your knowledge, St. John, did a great company of men and women follow Jesus to the place of execution, and did he turn to the women of Jerusalem and deliver a sermon to them, as was averred by St. Luke?²¹⁹ A. No, sir, not to my knowledge.

Q. To the best of your knowledge, upon arriving at Golgotha, did they offer the Nazarene some sort of a mixture to drink which he refused to accept, as you have heard St. Matthew and St. Peter testify in this Court? A. No, sir.²²⁰

Q. Did Jesus, while nailed to the cross, say, "Father, forgive them; for they know not what they do," as was told by St. Luke? A. No, sir.²²¹

Q. Did your lord while nailed to the cross cry in despair, "Eli, eli, lama sabachthani" (my God, my God, why hast thou forsaken me), as you have heard St. Matthew and St. Peter testify?²²² A. No, sir, he did not.

Q. Did the passers-by, soldiers, and Jews and their leaders deride Jesus while he was nailed to the cross, as was told by St. Matthew and St. Peter?²²³ A. Not to my knowledge, sir.

Q. To your knowledge, did the two men who were crucified with Jesus revile him, as was averred by St. Matthew and St. Peter?²²⁴ A. No, sir.

Q. Did one of them revile him, and the other one repent of his evil ways, as was told by St. Luke?²²⁵ A. Not to my knowledge, sir.

Q. Are you certain that the superscription on the cross read as you stated (XIX : 19), "JESUS OF NAZARETH THE KING OF THE JEWS"? A. Of course, I am certain of that.

Q. Are you sure that it did not read "THIS IS JESUS THE

KING OF THE JEWS," as was testified by St. Matthew; nor "THE KING OF THE JEWS," as was told by St. Peter; nor "THIS IS THE KING OF THE JEWS," as was averred by St. Luke? A. I am sure of that, sir.²²⁶

Q. You testified on several occasions before (XVIII : 28; XIX : 14) that it was the day before Passover. Do you mean to tell us, then, that the Jews and their leaders and the chief priests remained at the scene of crucifixion, as you stated (XIX : 20), until some time late in the afternoon? Were not the people and the chief priests, especially, supposed to have been very much occupied that afternoon in the Temple at Jerusalem, slaughtering and preparing the paschal lambs? Did they leave the city, neglecting the holy command of God, merely to satisfy their curiosity at the scene of crucifixion? Is this credible? A. The facts, sir, speak for themselves.

Q. Can you tell the Court and the ladies and gentlemen of the jury why you found it necessary to speak of the chief priests as "the chief priests of the Jews"? (XIX : 21) You have mentioned them many times before this, and yet you have never described them as "of the Jews." Why this time, then? A. I am unable to account for it, sir.²²⁷

Q. You testified (XIX : 21) that the Jewish leaders objected to the wording of the superscription. They asked that Pilate change it from "the king of the Jews" to "he said I am the king of the Jews."²²⁸ Didn't they make that request of Pilate because they wished to make it clear that they had never considered Jesus their king even if Jesus himself had made such a claim? A. It would seem so.

Q. Now, according to your testimony (XIX : 22), Pilate, the coward, who just a little while ago had been afraid to antagonize the Jews by freeing a man whom he considered innocent, now dictatorially refused to grant the simple and justified request of the Jewish leaders. Can you explain such inconsistency on the part of Pilate? A. No, sir.

Q. You stated (XIX : 23-24) that the Roman soldiers divided the garments of the Nazarene among themselves without casting lots, but that they cast lots only for the

coat, which was without a seam. Is that correct? A. Yes, sir.

Q. But you have heard St. Matthew and St. Peter testify²²⁹ that lots were cast for the division of Jesus' "garments"—all his garments. Is your version correct? A. There can be no doubt about that, sir.

Q. You averred (XIX : 25) that certain women stood by the cross. Can you please tell us whether there were three or four of these women present? A. I can add nothing to what I stated in my text, sir.²³⁰

Q. You had not mentioned Mary Magdalene before this. Why, then, did you see fit to introduce her so abruptly without stating who she was?²³¹ A. This was my style, sir.

Q. Those three or four women you mentioned as standing near the cross, were they within hearing distance? A. Certainly.

Q. But you have heard the three Synoptic witnesses testify²³² that the women, among whom were included the women mentioned in your testimony, stood far from the scene of crucifixion. Do you still insist that they were within hearing distance? Yes, sir, I do.

Q. Who was the mysterious disciple whom the Nazarene loved and who was near the cross (XIX : 26)? Was it you, St. John? A. Yes, sir.²³³

Q. If it were really you, what motive did you have in hiding your identity? Did you do so for the mere reason that you knew that no one would be able to contradict a person unnamed and unknown?

Mr. Christiani: Your Honor, I object to this question on the ground that it is incompetent, irrelevant, and immaterial. The witness has already stated that the unnamed disciple was he. Why repeat the question and search for motives?

The Court: Objection overruled. The Defense is legally entitled to know why a witness for the Prosecution deemed it necessary not to divulge his name in his documentary evidence. This might cast doubt upon the truth of the witness' statements. Proceed.

Mr. Ben Yehudah (resuming the cross-examination):

Q. Can you tell us why you were reluctant to mention your name? A. No, sir.

Q. What did the Nazarene say to his mother, when he saw her standing by the cross? A. He said (XIX : 26): "Woman, behold thy son."

Q. Now, St. John, do you wish the Court and the ladies and gentlemen of the jury to believe that your master Jesus would have showed such disrespect for his mother by addressing her as "woman"? Was not this a degrading and insulting expression to be used by the "the Son of God" in addressing his mother? Wasn't he aware of the fifth of the Ten Commandments given by His Father on Mount Sinai (Ex. XX : 12; Deut. V : 16): "Honor thy father and thy mother"? A. This is what I heard my lord say.

Q. This was not the first time, was it, St. John, that Jesus showed disrespect for his mother? Had he not refused to see her when she had come to visit him together with her other sons?²³⁴ And, according to your own testimony (John II : 4), didn't Jesus on one occasion say to his mother: "Woman, what have I to do with thee?"²³⁵ A. Our lord was not bound by the common rules of etiquette that apply to other sons and mothers, sir.

Q. Why did Jesus place his mother in your charge (XIX : 27)? Did she not have other sons to take care of her?^{235a} A. Our lord wished that duty to fall upon me, sir, because he loved and trusted me.

Q. You testified (XIX : 28) that the Nazarene said, "I thirst." Do you mean to say that your lord Jesus was thirsty, as other mortals might have been under similar circumstances? A. Yes, sir.²³⁶

Q. Can you explain to the Court and the jury who were they who filled a sponge with vinegar and put it to his mouth (XIX : 29)? Were they Jews or Romans? And what was their purpose? Was it mercy or derision? A. I cannot add to what I have already stated, sir.²³⁷

Q. What caused Jesus to say (XIX : 30), "It is finished," after receiving the vinegar? Was it because the tast-

ing of vinegar would hasten his death? A. It would appear so.²³⁸

Q. Did the Nazarene say anything else before he gave up his ghost? A. Not to my knowledge, sir.

Q. Did he not cry out with a loud voice and quote a Biblical verse, "Father, into thy hands I commend my spirit," as was told by St. Luke?²³⁹ A. Not to my knowledge, sir.

Q. Did he, then, simply cry out in a loud voice without saying anything, as you have heard St. Matthew and St. Peter testify in this Court?²⁴⁰ A. No, sir.

Q. Do you know what time of the day your lord gave up his ghost? A. I do not know the exact time.

Q. It could not have been at three in the afternoon, the ninth hour of the day, or soon thereafter, as stated by St. Matthew and St. Peter,²⁴¹ could it? For you testified (XIX : 14) that at the sixth hour, or noon, they were still at the judgment hall arguing with Pilate. After that they spent some time in the Praetorium, and then marched to Golgotha outside the city limits. Do you think that Jesus could have given up his ghost in less than three hours of hanging on the cross?²⁴² A. I really cannot say.

Q. Do you know whether it was dark when they led Jesus from the City to Golgotha? A. Of course not; it was broad daylight.

Q. Wasn't there darkness all over the land from twelve noon until three in the afternoon, as was told by the three Synoptic witnesses?²⁴³ A. No, sir.

Q. Immediately after Jesus gave up his ghost, did the earth quake, and did the rocks rend, and did the saints rise in their graves, as you have heard St. Matthew testify in this Court?²⁴⁴ A. No, sir.

Q. Were any portents at all made manifest while the Nazarene was hanging on the cross, or after he gave up his ghost? A. No, sir.²⁴⁵

Q. When the Nazarene gave up his ghost, did the centurion and the other soldiers who stood by acknowledge that Jesus was the son of God, as was told by St. Matthew

and St. Peter, or that he was a righteous man, as was told by St. Luke? A. Not to my knowledge, sir.²⁴⁶

Q. You averred (XIX : 33, 36) that the reason Jesus had died sooner than had been expected was that they should not break his legs in order "that the scripture be fulfilled, a bone of him shall not be broken." This Biblical verse (Ex. XII : 46) lays down the law with reference to the paschal lamb. Once before you referred to your master (I : 29,36) as the "Lamb of God." Did you now invent this incident of the leg-breaking in order to substantiate your theory that Jesus was the Paschal Lamb of God?

Mr. Christiani: I object to this form of questioning as incompetent, irrelevant, and immaterial. This question merely tends to discredit the witness in the eyes of the jury, in spite of the fact that the witness has repeatedly stated that he had reported facts. Your Honor, I move that this question be disallowed and stricken from the record.

The Court: Objection overruled.

Mr. Ben Yehudah (resuming cross-examination): Q. Now, St. John, no other witness for the prosecution knows anything about this leg-breaking incident you embodied in your Gospel. Did you invent it to support your statement that Jesus was the "Lamb of God"? A. I reported the truth sir.

Q. To what purpose did the soldier pierce the side of the Nazarene after he had found him dead (XIX : 33)? A. So that the scripture might be fulfilled (XIX : 37).

Q. Would you wish us to believe, then, that the pagan executioner was endowed with a spirit of prophecy? He pierced the side of Jesus in order to fulfill a Biblical prophecy? A. It was all inspired, sir.

Q. Who was the person who you say (XIX : 35) was an eyewitness and whose record is true? A. That was I, sir.

Q. In other words, you vouch that you were honest and truthful in recording these accounts.²⁴⁷ What made you think that future generations would have cause to doubt your testimony, that you had to assure them that you were a truthful eyewitness? Did you hope to be admired by

posterity because you were not a liar when you recorded that blood and water issued from the side of Jesus?²⁴⁸ A. I wanted all generations to know that I was an eyewitness and that I had recorded faithfully what I myself knew.

Q. Who was this Joseph of Arimathaea? Was he a secret disciple of Jesus (XIX : 38)? A. He was.²⁴⁹

Q. Do you know when Joseph of Arimathaea came to Pilate to ask for the body of Jesus? A. It was late in the afternoon.

Q. And Nicodemus, who with Joseph embalmed the body of Jesus and dressed it in linen (XIX : 39-40), wasn't he, like Joseph, a member of the Great Sanhedrin? A. I believe he was (John III : 1).

Q. Do you mean to tell us that these members of the Great Sanhedrin left their homes and their families on Friday evening, on Passover eve, when they were supposed to eat the paschal lamb and observe all the other holy rites? A. I recorded facts, sir.

Q. You testified before (XVIII : 28) that the Jewish leaders did not enter the hall of judgment, lest they should be defiled and thus be unable to eat the Passover. Isn't this correct? A. Of course.

Q. Yet, St. John, you ask the Court and the jury to believe that two members of the Great Sanhedrin, on Passover eve, with their own hands took a dead body down from the cross, embalmed it and wound it in linen and laid it to rest in a grave (XIX : 40-42)? They would, according to the Law of Moses, be defiled and be in an unclean state for fully seven days.²⁵⁰ How, then, would they be permitted to eat the paschal lamb that night? A. Facts speak for themselves, sir.

Q. Are you certain that Nicodemus was the one who brought a mixture of myrrh and aloes and wound it in the linen around the body of Jesus (XIX : 39-40), and that it was not brought by some women, as was averred by St. Peter and St. Luke?²⁵¹ A. I am sure of that.

Q. According to your testimony (XIX : 40), it was the custom of the Jews to bury their dead wrapped in linen

clothes with spices. But are you sure this was their custom?
A. Yes, sir.²⁵²

Q. In your testimony (XIX : 42) you stated "there laid they Jesus therefore, because of the Jews' preparation day." Can you explain to the Court and the ladies and gentlemen of the jury why you deemed it necessary to describe Friday as the "Jews' preparation day"? Since only Jews had a "preparation day," and since you are a Jew, you certainly had no need of mentioning that it was the "Jews' preparation day." Wouldn't just "preparation day" have sufficed to describe it?²⁵³ A. I suppose so.

Q. To the best of your knowledge, did the Jewish leaders, the chief priests and the Pharisees, the following morning, obtain permission from Pilate to seal the tomb of Jesus, and did Pilate give them a guard so that no one might steal the body during the night, as you have heard St. Matthew testify in this Court?²⁵⁴ A. Not that I know of.

Q. You testified (XX : 1) that on the first day of the week, Mary Magdalene came early to the sepulchre, when it was yet dark. Are you certain that Mary Magdalene came alone to the sepulchre, and not with others, as you have heard the other witnesses for the Prosecution testify?²⁵⁵ A. I am sure of that.

Q. Did Mary Magdalene bring any spices with which to anoint the body of Jesus, as was told by St. Peter and St. Luke?²⁵⁶ A. She did not.

Q. Are you positive that it was still dark when Mary came to the sepulchre of Jesus (XX : 1)? A. Of course I am.

Q. You have heard St. Peter testify²⁵⁷ that the women "came to the sepulchre at the rising of the sun." Is his version incorrect, then? A. I am responsible for the truth of my own version only.

Q. You stated (XX : 1) that Mary Magdalene saw "the stone was taken away from the sepulchre." Since you have not mentioned in your testimony that a stone had been rolled to the opening of the sepulchre, can you tell us, then, what stone you were referring to? A. I really don't know.²⁵⁸

Q. To the best of your knowledge, was there a great earthquake at that particular moment, when Mary arrived at the sepulchre, because an angel descended from heaven, as you have heard St. Matthew testify?²⁵⁹ A. No, sir. Had there been an earthquake, I would not have omitted it.

Q. Did Mary on her first visit to the sepulchre step inside and see there an angel who gave her information concerning the resurrection of Jesus, as was averred by St. Peter?²⁶⁰ A. Not that I know of.

Q. Did she see inside the tomb two men in shining garments who gave her some information, as you have heard St. Luke testify?²⁶¹ A. No, sir.

Q. Are you certain that Mary at once ran to inform Peter and the other disciple, whom Jesus loved—which naturally means you—that the lord was taken away out of the sepulchre (XX : 2)? A. There can be no doubt about that, sir.

Q. But you have heard St. Peter himself testify in this Court²⁶² that the women fled from the sepulchre, and said nothing to any man. Didn't Peter know, then, that Mary gave him the information as you stated? A. I cannot account for his testimony, sir.

Q. Did anybody instruct Mary to go to them with this information? A. No, sir, she went of her own volition.

Q. You are certain that neither an angel, as it was told by St. Peter, nor Jesus himself, as it was told by St. Matthew, instructed her to inform the disciples?²⁶³ A. I am sure of that.

Q. Were the other disciples with you when Mary Magdalene brought you this information? A. No, sir.

Q. Is it not a fact that the information was brought at once to all the disciples, as you have heard the other three witnesses for the Prosecution testify?²⁶⁴ A. Not to my knowledge.

Q. And you only stooped down, but you did not enter the sepulchre? A. That is correct, sir (XX : 5).

Q. Can you explain to the Court and the jury why you did not enter the sepulchre? Were you afraid? A. No, sir.

But I don't know myself why I did not enter.²⁶⁵

Q. You testified (XX : 6, 7) that after Peter had entered the sepulchre, you, too, entered, and you saw and believed. Is that correct? A. Yes, sir.

Q. What did you believe, St. John? A. I believed that the lord had risen from the dead.²⁶⁶

Q. And the reason you did not believe at first, according to your testimony (XX : 9), was that you did not yet know the Scripture that Jesus must rise again from the dead. Now, did not your lord tell you that he must suffer crucifixion and thereafter rise again after three days? A. Yes, sir.²⁶⁷

Q. What did it matter, then, whether you understood the Scripture or not? Didn't you believe in your lord while he was with you in the flesh? Peter, the first of his disciples, and you, whom he loved, did not believe in him? Did you think he was an impostor?

Mr. Christiani: Your Honor, I strenuously object to the last question of Counsel, as it tends to put doubt in the minds of the jurors concerning the sincerity of the Twelve Apostles chosen by our lord himself. I therefore move that the question be disallowed and stricken from the record.

Mr. Ben Yehudah: Your Honor, it was not my invention that the disciples did not believe their lord. The witnesses for the Prosecution, three of whom were members of the saintly group of twelve disciples, admitted that they did not believe the words of their master.²⁶⁸ Now, if they did not believe in his prophecies, then in their eyes he must have been an impostor. Isn't that a natural and logical conclusion?

The Court: Objection overruled. Counsel for the Defense was justified, according to the principles of law, to ask the witness what opinion he had held of his master when he failed to believe in him. Nevertheless, I would ask Counsel to refrain as much as possible from using expressions which may tend to injure the sensibilities of the Attorney for the Prosecution. Proceed with the cross-examination.

Mr. Ben Yehudah (resuming cross-examination): Q. Will you please answer my last question? A. Even when I

doubted our lord, I never considered him an impostor. Never, sir.

Q. Immediately after your visit to the sepulchre, where did you and Peter go? A. We went to our own home (XX: 10).

Q. Didn't you and Peter consider this disappearance of the body of Jesus from the sepulchre of very great importance? A. Of course we did.

Q. Can you, then, explain to the Court and the jury why you went home after this and why you did not think of bringing this marvellous news to your brother disciples? A. I am unable to account for our actions, sir.

Q. Isn't it astonishing to you, St. John, that Peter himself, in the testimony offered by him in this Court and which you have heard,²⁶⁹ made no mention of the fact that he went together with you into the sepulchre, as you stated? A. I cannot understand why Peter saw fit to omit this account.

Q. You testified (XX : 12) that Mary Magdalene saw two angels sitting in the sepulchre. Are you certain that she visited the sepulchre twice and that she saw the angels on her second visit, and not on her first and only visit, as you have heard the three Synoptic witnesses testify? A. Certainly, sir.

Q. Are you also certain that she saw two angels and not only one, as you have heard St. Matthew and St. Peter testify? A. I am certain of that, too, sir.²⁷⁰

Q. Can you tell us whether you and St. Peter saw the angels sitting there when you entered the sepulchre? A. No, sir, we did not see any angels there.

Q. Would you be able to explain to the Court and the ladies and gentlemen of the jury, why you, the most beloved disciple of Jesus, and St. Peter, the first disciple of Jesus, did not deserve to see angels in the sepulchre, but Mary Magdalene out of whom Jesus had driven seven devils did deserve to see angels?

Mr. Christiani: I object to this question, Your Honor.

The Court: Objection overruled. The question tends to test the veracity of the story told by the witness. Let the witness answer this question.

(Cross-examination resumed by Mr. Ben Yehudah): Q. Can you explain why you and St. Peter did not deserve to see angels and why Mary Magdalene did deserve to see them? A. I cannot explain that.²⁷¹

Q. Since you yourself did not see the angels, how do you know the exact spot where the angels were sitting, "one at the head, and the other at the feet" (XX : 12)? A. Mary Magdalene gave this information.

Q. I see. Now, to the best of your knowledge, did the angels explain to her that Jesus had risen and instruct her to inform the disciples of this fact? A. No, sir, not that I know of.

Q. You are certain that the angel asked only (XX : 13), "why weepest thou?" A. Precisely.

Q. You testified (XX : 14) that immediately after she had complained to the angels that they had taken away her master, she turned back and saw Jesus, whom she failed to recognize. Is that correct? A. Yes, sir, it is correct.

Q. You have heard the testimony of the other three witnesses.²⁷² Does their version at all agree with yours? A. No, sir, it does not. But I can vouch that mine is true.

Q. Didn't Mary recognize her lord by his voice or by his appearance (XX : 15)? Had he disguised himself so that she might not recognize him at first? A. It would appear so.²⁷³

Q. But she then recognized Jesus by his voice after hearing only one familiar call by her lord, "Mary." Is that right? A. Yes, sir.

Q. Are you certain that Mary addressed Jesus by saying, "Rabboni"? A. There can be no doubt about that, sir.²⁷⁴

Q. You testified (XX : 17) that Jesus said to her, "touch me not; for I am not yet ascended to my Father." Can you explain what prompted Jesus to tell Mary not to touch him? Did he see her running toward him with the intention to embrace him? A. I suppose so.

Q. Can you explain why Jesus did not wish Mary to

touch him? A. As he said to her, because he had not as yet ascended to his Father.

Q. Would he have permitted her to touch him after he had ascended to his Father but not before? What was his reason? A. That is what he said, sir.

Q. But how can you vouch that this is what he said? You weren't listening to this conversation between Jesus and Mary, were you? A. I was not listening, because I was not present, sir. My account was divinely inspired, sir.

Q. You testified in this Court (XX : 27) that Jesus had instructed Thomas Didymus to touch him, saying, "Reach hither thy finger, and touch my hands; and reach hither thy hand, and thrust it into my side." And this, too, occurred before the ascension. Can you explain to the Court and the jury why Jesus now warned Mary not to touch him? Would you say that your master was inconsistent? A. I cannot explain that, sir.²⁷⁵

Q. But you have heard your colleague St. Matthew testify in this Court²⁷⁶ that two women, Mary Magdalene and the other Mary "held him by the feet, and worshipped him," and Jesus did not protest. Who is telling the truth, then? A. I recorded facts, sir.

Q. Can you explain exactly what Jesus meant by the expression, "my Father and your Father"? Did he now wish to repudiate the claim imputed to him during his earthly existence, that he was the natural son of God? Did he wish to imply by this alleged saying, that the Almighty was the Father of "all" mankind? A. Not at all, sir. He meant to say that the Almighty was his Father by nature, and of mankind by grace.²⁷⁷

Q. If, as you contend, the Almighty was the natural Father of Jesus, and the son was co-equal with the Father, why does he refer to Him now as "my God"? The Father couldn't possibly have been Jesus' God, if they were equal gods, could He? A. This is a highly involved theological question, which I am unable to discuss at this time.²⁷⁸

Q. Is it not remarkable, St. John, that none of the

other witnesses mentioned this important account in their testimony? A. It is somewhat strange.

Q. Did not Jesus instruct Mary to tell his disciples that they should meet him in Galilee, as you have heard St. Matthew and St. Peter testify?²⁷⁹ A. Not to my knowledge, sir.

Q. Now Mary brought this information concerning her conversation with Jesus to all the disciples, and not only to you and St. Peter? A. That is right, sir (XX : 18).

Q. Were St. Matthew and St. Peter with you at the time Mary brought the information? A. Certainly.

Q. You have heard them testify in this Court, but they mentioned not a word about this report of Mary Magdalene's. I wonder if you can tell us why they saw fit to omit it? Surely it was not an oversight? A. I am unable to account for that, sir.

Q. Did you believe in Mary's story? A. I don't recall exactly whether I did or not.²⁸⁰

Q. Were you among the disciples to whom Jesus appeared and in whose midst he stood (XX : 19)? A. I was.

Q. Can you tell us why you were afraid of the Jews? Did you not testify before (XVIII : 15) that you were known to the high priest? Why were you afraid, then? Couldn't you have asked the high priest for protection from the Jews? Shall we assume, then, that the high priest had no knowledge that you were a disciple of the Nazarene, although you had been his beloved one? Are you able to explain all this, St. John? A. Not very well, sir.²⁸¹

Q. You have heard St. Luke testify²⁸² that all the disciples, evidently including you, immediately after the ascension, "returned to Jerusalem with great joy, and were continually in the temple, praising and blessing God." Consequently they were not afraid of the Jews, as you alleged. Is St. Luke's statement incorrect? A. I know that mine is correct, sir.

Q. You testified (XX : 20) that Jesus had shown you his hands and his side. What was the object of this exhibition? Was it to convince you that you might believe?²⁷³ A. Yes, sir.

Q. Why did Jesus have to resort to this? Was he aware that you still did not believe that he had risen? Should not his personal appearance and the tone of his voice have sufficed to convince you? A. I don't know, sir.

Q. But you have heard St. Luke testify²⁸³ that Jesus showed his hands and his "feet." Whose version is the correct one, St. John? A. I recorded facts, sir.

Q. Do you know for what reason Jesus saluted you again, saying (XX : 21), "Peace be unto you"? Hadn't he said it once before when he first made his appearance to you (XX : 19)? A. I really don't know.

Q. And he made you his Apostles in spite of the fact that he knew you were unbelievers? A. Yes, sir.

Q. According to your testimony (XX : 22), all of those disciples who were present received the holy ghost by Jesus' breathing on you. Was the holy ghost contained in the breath of Jesus? A. Precisely, sir.²⁸⁴

Q. But what about Thomas Didymus? Did he fail to receive the holy ghost among the twelve, since he was not present when Jesus breathed on you (XX : 24)? A. I cannot answer that.

Q. There can be no doubt, of course, that St. Matthew and St. Peter were also breathed upon by Jesus. Is it not remarkable, St. John, that they failed to mention their receiving of the holy ghost?²⁸⁵ A. It is rather strange, sir.

Q. You have heard the other witnesses for the Prosecution testify²⁸⁶ that Jesus had appeared to the eleven disciples, including Thomas Didymus. Do you still insist that Jesus had appeared to ten disciples only, and that Thomas Didymus was not present?²⁸⁷ A. Yes, sir, I do.

Q. Are you certain that Jesus gave you the power to remit the sins of whomsoever you pleased? A. Certainly.

Q. Did he endow you with any powers other than the remitting of sins? A. Not that I know of.²⁸⁸

Q. And Thomas Didymus, who did not happen to be present at the appearance of Jesus, said to you (XX : 25) that he would not believe you unless he put his finger into the

print of the nails in the hands of Jesus, and thrust his hand into his side? A. Yes, sir.

Q. Do you mean to tell us, then, that one saintly member of the group of eleven distrusted the testimony of the other ten members of the holy group, despite their having told him that they had seen Jesus with their own eyes? As a rule, do not honest men believe other honest men? Why, then, did he suspect you of lying to him? A. I don't know why he did not not believe us.

Q. Wasn't this a very coarse way of expressing himself, that unless he put his finger into the prints of his lord's nails and thrust his hand into the side of the Son of God, he wouldn't believe? How could a saintly disciple speak thus of his divine lord? Wasn't this most disrespectful? A. I believe it was.

Q. You testified (XX : 26) that after eight days Jesus appeared to you again. Were you still in Jerusalem at that time? A. Yes, sir.²⁸⁹

Q. So, according to your testimony, Jesus made two appearances to all his disciples in Jerusalem? A. That is correct.²⁹⁰

Q. Did the Nazarene appear once to two disciples, as you have heard St. Peter and St. Luke testify?²⁹¹ A. Not to my knowledge.

Q. Did Jesus scold all of you, the eleven disciples, because of your unbelief? A. No, sir, he did not.

Q. Do you wish to disagree with St. Peter whom you have heard testify²⁹² that your lord chided his disciples, including you, for their unbelief? A. This did not occur, sir.

Q. According to your testimony (XX : 19, 26), a period of eight days elapsed between Jesus' first and second appearances. During that interval of eight days, did Jesus ascend to heaven, or did he return to lie in his grave? A. I am unable to say, sir.

Q. So you are unable to say whether Jesus had descended from heaven to visit you after the eight days, or whether he had risen again from his grave? A. Our lord did not give us this information.

Q. Can you tell the Court and the ladies and gentlemen of the jury how the Nazarene was dressed when he made his appearances to you? Were they the clothes he used to wear before he was crucified, or was it the loin-cloth in which he had been crucified, or were they the shrouds in which he was buried by Joseph of Arimathaea and Nicodemus?²⁹³ A. I can't say, sir.

Q. And during his second appearance to you, Jesus spoke only to the unbeliever Thomas Didymus? A. Yes, sir (XX : 28-29).

Q. Did Jesus, then, make his appearance for the specific purpose of having Thomas put his finger into the print of the nails and thrust his hand in his side, so that he should not remain an unbeliever? A. It would appear so.

Q. But there were millions of unbelievers in the world; why did your lord see fit to convince only the doubting Thomas? Why didn't he appear to the unbelieving Pharisees, elders, scribes, and all other learned men of Jerusalem, so that they, too, might be convinced and believe? A. I am unable to explain the acts of my lord, sir.

Q. And then did Thomas Didymus acknowledge Jesus as his lord and God? A. Yes, sir, so he did.

Q. Was it the common belief of the followers of Jesus, during his lifetime and immediately thereafter, that Jesus was God?²⁹⁴ A. Well, something like that, sir.

Q. You stated (XX : 31) that "Jesus is the Christ, the Son of God." Do you mean to imply that Christ must necessarily be the natural son of God, springing from the miraculous conception, or that he simply is "the son of God" in a theocratic sense, that is, that the Almighty is the real ruler and the Messiah, Christ, represents God?²⁹⁵ A. This is a highly involved theological question, sir, which I do not wish to discuss at this time.

Q. Did Jesus appear to his disciples again after this? A. Yes, he did. He appeared again to some of his disciples at the sea of Tiberias, in Galilee (XXI : 1).

Q. Are you certain it was at the sea and not somewhere

in a mountain, as you have heard St. Matthew testify?²⁹⁶ A. Of course I am certain of that.

Q. You testified (XXI : 4) that in the morning Jesus stood on the shore of the sea of Tiberias, but you did not recognize him. Can you explain why you failed to recognize him? Did he now look different than at his first two appearances at Jerusalem? Did he wear different clothes, or was he in a new disguise? A. I do not know why we failed to recognize him.²⁹⁷

Q. Couldn't you recognize him by his voice when he spoke to you and said, "Children, have ye any meat"? (XXI: 5). Had his voice changed, that you were unable to know him? A. I do not recall; but we did not even then know that it was our lord.

Q. And you, the disciple whom Jesus loved, were the first to understand that it was Jesus? Did you know it because of the big catch in your net due to his advice (XXI : 6, 7)? A. That is correct, sir.²⁹⁸

Q. Was Peter the only one of the disciples that was naked? A. That is correct.

Q. Can you tell us why St. Peter was naked (XXI : 7)? Was it customary for fishermen to go fishing in the nude? Then, you too were a fisherman; why, then, weren't you naked? Besides, is it not against the principles of Jewish morality for a man to appear in the nude in the presence of others? A. I am unable to explain all that, sir.

Q. Do you know why St. Peter cast himself into the sea? It couldn't have been for shame, because he had already "girt his fisher's coat unto him." Was it out of fear or surprise? A. I cannot tell the cause. I merely recorded a fact.²⁹⁹

Q. You testified (XXI : 9) that as soon as you were come to land, you saw a fire of coals there, and fish laid thereon, and bread. Can you tell us who kindled that fire and prepared the food? A. Surely; it was our lord.

Q. Do you know where Jesus obtained the fish and the bread? A. He must have obtained it in a supernatural way, sir.³⁰⁰

Q. You testified (XXI : 8) that you together with the

other five disciples were dragging the net with fishes. Now Jesus told you, the six of you, to bring some of the fish which you had caught. Is that correct? A. It certainly is, sir.

Q. You then stated that "Simon Peter went up" (XXI : 11). Do you know where he came up from? Was it from the sea into which he had cast himself (XXI : 7)? A. I presume so.

Q. You averred (XXI : 11) that "Simon Peter drew the net to land full of great fishes." Can you explain, please, what had happened to the six of you who were dragging the net? All of you weren't able to draw it to land, because of its weight, and Simon Peter drew it to land all by himself? Or, would you say that there were two nets, one dragged by the six of you, and the other pulled by Peter himself? A. I can add nothing to what I have already stated in my text.³⁰¹

Q. If, as you have contended, Jesus was able to obtain fish and bread miraculously, why didn't he obtain enough in the same manner for all of you without having to resort to your catch? A. I cannot explain that, sir.

Q. Would you say, then, that the fish on the fire and the bread were intended by Jesus to be for his own breakfast, and he told you to get your own fish for your breakfast? A. It would appear so.³⁰²

Q. Can you explain to the Court and the jury why Jesus was in need of food to sustain himself now that he had reached the exaltation of a deity after the resurrection?

Mr. Christiani: Your Honor, I object to this question of Counsel as being incompetent, irrelevant, and immaterial. Under the law of evidence, a witness cannot be required to explain to the jury highly theological problems, unless he has been qualified as competent to expound those problems. This witness, not being an expert in the eyes of the law, cannot be called upon to do anything else than merely state facts.

Mr. Ben Yehudah: Your Honor, the whole Christian world during all these centuries has recognized the witness,

St. John, as an expert in expounding the Christian dogma. He is relied upon and quoted by the whole Christian world, wherever the Christian religion is taught. If my learned opponent wishes to concede that this witness is unqualified to explain Christianity, I shall withdraw my question. But, in this event, I shall insist that whatever Christian dogma or thought this witness incorporated in his Gospel, shall be expunged and not be considered as evidence in this Court.

The Court: Objection overruled. Proceed with the case.

Mr. Ben Yehudah (resuming cross-examination): Q. Can you explain why your lord needed food now to sustain him? A. I am unable to explain it at this time.

Q. According to your testimony (XXI : 14), Jesus had appeared to you three times: twice in Jerusalem, and once in Galilee on the shore of the sea of Tiberias. You have heard the testimony given by the other three witnesses for the Prosecution, and I ask you: Does your version of the appearances by Jesus agree with any of the versions given by them? A. No, sir.³⁰³

Q. You testified that Jesus had said to Peter (XXI : 15), "Simon, son of Jonas, lovest thou me more than these?" What exactly did Jesus mean by this question? Did he want to know whether Peter loved Jesus more than the rest of the disciples did? or more than he loved the instruments of the fisher's craft? A. I really cannot explain that. But that was the exact question I heard Jesus ask Peter.³⁰⁴

Q. You stated (XXI : 17) that when Jesus repeated the question the third time, "Peter was grieved because he said to him the third time, lovest thou me?" Wasn't Peter justified in feeling somewhat awkward when a question of this nature was asked him three times in the presence of the other disciples? A. I don't think so. If the lord asked him the same thing three times, he must have had some definite purpose.³⁰⁵

Q. Now, St. John, if, as you contend, Jesus was God, or even if he was only equal with God, why did he have to ask such a question of Peter whom he had already chosen to be the rock upon whom the Church should be built, and to

whom he entrusted the keys to the kingdom of God?³⁰⁶ Didn't Jesus know the thoughts that were in your hearts, especially now when he had already reached the post of viceroy as a result of the crucifixion? What purpose was there, then, in asking such questions of Peter? Didn't he know the degree of Peter's love? A. Of course he did. But I cannot explain why he saw fit to speak thus to Peter.

Q. The interpretation you gave (XXI : 19) to the statement attributed by you to Jesus (XXI : 18), as "signifying by what death he should be glorifying God," was that your own, or was it told to you? A. It was divinely inspired, sir.

Q. But the quotation you attributed to Jesus, "but when thou shalt be old, thou shalt stretch forth thy hands, and another shall gird thee, and carry thee whither thou wouldest not," could be applied to any kind of death, no matter how caused and how violent it might be. What made you say that it signified by what death Peter should be glorifying God? A. You keep forgetting that my interpretation was divinely inspired.

Q. You said (XXI : 19) that Jesus told Peter to follow him, and then when he turned around, he saw you following, too. Weren't you being disobedient to your lord in following him when he expressly ordered only Peter to follow him? Was this the reason that Peter said to the Nazarene, "Lord, which is he that betrayeth thee?"³⁰⁷ A. I suppose that must have been the case, sir.

Q. Now you testified (XXI : 22) that Jesus said concerning you, "If I will that he tarry till I come, what is that to thee?" Was the interpretation placed by the brethren upon the words of Jesus concerning you, that you should never taste death, correct? A. No, sir, it was incorrect.³⁰⁸

Q. What, then, did Jesus mean when he said, "If I will that he tarry till I come"? A. I really do not know.

Q. And Jesus told Peter again, "Follow thou me." Did he follow him? Where to? A. I have no idea, sir.³⁰⁹

Q. Now, St. John, you have heard St. Peter testify in this Court with reference to the appearances made by Jesus to you after his resurrection.³¹⁰ Did you hear him mention

these two incidents related by you concerning himself, the one relating to the appearance at the sea of Tiberias, and the other referring to the questions asked by Jesus about his love and then his instructions to him to follow him? A. No, sir, I did not hear him speak of these things at all.

Q. Is it not remarkable, St. John, that Peter should have neglected to mention these very important events in which he himself was involved? A. Yes, sir; it is most remarkable.³¹¹

Q. Can you tell the Court and the jury what happened to Jesus after he told Peter to follow him (XXI : 22)? A. I don't really know.

Q. Did you together with the other disciples, the other five that were with you besides Peter, follow him? A. No, sir. The others were not there at the time, and I did not follow him.

Q. But you have heard St. Peter and St. Luke testify in this Court³¹² that all the disciples, including you, followed Jesus. Do you insist that your version is correct? A. Every word of it, sir.

Q. Did you and the rest of the disciples see the Nazarene being received into heaven, and sitting on the right hand of God, as was told by St. Peter and St. Luke? A. No, sir.³¹³

Q. Were you the disciple, of whom you said (XXI : 24), "that he testified of these things, and wrote these things"? A. Yes, sir, it was I.

Q. When you averred (XXI : 24) "and we know that this testimony is true," who were the "we" who vouched for the veracity of your testimony? Didn't you yourself write those words about yourself, St. John? Did you mean to say by this that "we," in the majestic plural, vouch for ourselves that whatever we testified we know to be true? A. Something like that, I guess.³¹⁴

Q. Isn't your statement (XXI : 25) to the effect that if all "other things done by Jesus would be written down, I suppose that the world itself could not contain the books that should be written," somewhat exaggerated?³¹⁵ The little that you wrote about your lord is not of very much

consequence. Why, then, did you not select more and better material from this great mass that you had had at your disposal? A. Whatever I recorded is of great importance, as it was divinely inspired, sir.

Mr. Ben Yehudah: That will be all. The witness is yours.

Mr. Christiani: No redirect examination. Your Honor, the Prosecution rests.

The Court: Is Counsel for the Defendants ready to put in a defense?

Mr. Ben Yehudah: Yes, Your Honor, the Defendants are ready.

PART TWO

The Defense: Expert Testimony

*"No weapon that is formed against thee shall prosper;
And every tongue that shall rise against thee in judgment
thou shalt condemn.*

*This is the heritage of the servants of the Lord,
And their due reward from Me, saith the Lord."*

ISAIAH LIV : 17



CHAPTER ONE

Direct and Cross-Examination of Dr. Abraham Ibn-Daud, Expert in Jewish History

MR. HAYYIM ELIYAHU BEN YEHUDAH: Your Honor, the Defense will abstain from making the motion which it is customary to make at this stage of the trial, to dismiss the case, although in my opinion the Prosecution has signally failed to make out a *prima facie* case against the Defendants. The reason I refrain from making such a motion is that I do not wish to run the risk of having the case dismissed by the Court. The defense is bent upon obtaining a verdict and not a dismissal.

If it please the Court and the ladies and gentlemen of the jury, it is my conviction that the Defendants have succeeded in proving by means of cross-examining the witnesses for the Prosecution, that the documentary accounts relating to the alleged trials conducted by the Jewish tribunal, known

as the Great Sanhedrin, and by the Roman Procurator Lucius Pontius Pilate, in which Jesus is reported to have appeared as a defendant, are contradictory and inconsistent. I believe that the Defendants have succeeded in proving to you that the evidence contained in the narratives of the Four Gospels, known as St. Matthew, St. Mark, St. Luke, and St. John, accusing the Defendants of murder, is untrustworthy and unreliable, and should therefore be insufficient to convict any living being.

Nevertheless, the Defendants are not satisfied to rest their defense solely upon the results of the cross-examination. They are ready to substantiate their contention still further by putting in a defense, which will prove to you that the authors of these four documents could not of their own knowledge have reported the alleged trials of the Nazarene.. And with your permission and indulgence, the Defendants will establish their defense by proving the following:

1. Many of the statements made by the witnesses for the Prosecution cannot be substantiated by historic facts.

2. The authors of the Four Documents, known as the Gospels, which contain the indictment and accusation against the Defendants, were not acquainted with the most fundamental principles of the Jewish religion, and the established Jewish traditions and customs as they existed at the time of the Nazarene.

3. The writers of these Four Documents were entirely unfamiliar with the Jewish system of jurisprudence, with the rules of procedure as practiced in Jewish courts, with the constitution of those courts, their functioning and administration as they existed at the time of the Nazarene.

4. Those writers were also unfamiliar with the Roman law and rules of procedure.

5. The witnesses for the Prosecution misinterpreted—and at times even misquoted—Biblical texts for the purpose of making them applicable to the Nazarene. They even went to the extent of inventing incidents and anecdotes—often very crudely—for the purpose of passing them off as fulfillments of prophecies by Moses and the Prophets of old.

6. The authors of these Four Gospels were unfamiliar with the Hebrew and Aramaic languages.

All this, ladies and gentlemen of the jury, the defendants intend to prove by the testimony of duly qualified experts in the various fields of scientific research: experts in Jewish history and Palestinian geography, Jewish religion and customs, Jewish jurisprudence and procedure, Roman law and procedure, exegesis, and the Hebrew and Aramaic languages.

The Court: Are you ready to call your expert witnesses to the stand?

Mr. Ben Yehudah: Yes, Your Honor, the Defense is ready.

The Court: You may proceed, then, to call your witnesses.

Dr. Abraham Ibn-Daud, called as a witness in behalf of the Defense, being duly qualified as an expert in Jewish history and Palestinian geography, and being sworn, testified as follows:

Direct examination by Mr. Ben Yehudah.

Q. Professor Ibn-Daud, you have heard the witnesses for the Prosecution refer in their testimony to the Jewish Spring Festival as "the feast of Passover" (Matthew XXVI : 2; Mark XIV : 1; Luke XXII : 1; John XIII : 1, etc.). Is it true that during the lifetime of the Nazarene this Spring Festival was commonly known among the Jews as "the feast of Passover"? A. No, sir, this is historically untrue. Throughout the Biblical literature, this Spring Festival was always designated as *bag ha-mazot*, the Feast of Unleavened Bread, and not as *bag hapesah*, the Feast of Passover, while the term "passover" was applied to the paschal lamb (Ex. XXII : 15, XXXIV : 18; Lev. XXIII : 6; Deut. XVI : 16).¹

Q. Is it possible, then, that Jesus himself referred to this Festival as the "Feast of Passover," as testified by the first witness (Matthew XXVI : 2)? A. No, sir. The designation of this Spring Festival by the general name of

'Passover" became current among the Jews at a much later date.¹

Q. Then no contemporary of Jesus would be likely to designate this Festival by either "Passover," or the "Feast of Passover"? A. No, sir, he would call it "Feast of Unleavened Bread."

Q. Would you conclude from this that the writers of the Four Gospels, especially of those accounts in which they designate the Festival as "Passover," were not contemporaries of Jesus, but lived at a much later date, after the Jews had come to designate this Spring Festival by the term "Passover"? A. Yes, sir, no other logical conclusion could be deduced from this.

Q. Dr. Ibn-Daud, you have heard the witnesses for the Prosecution testify (Matthew XXVI : 3; Mark XIV : 53; Luke XXII : 66) in this Court that the Great Sanhedrin, the highest court at Jerusalem, consisting of seventy-one members, was composed of chief priests, scribes, and elders. Is it historically true that the Great Sanhedrin, at the time of Jesus, was generally composed of those three elements? A. No, sir, it is not true. Eligibility to a seat in the Sanhedrin in the time of the Nazarene was determined by the qualifications of wisdom, learning, and piety, and not of genealogy.² The chief priests, as such, were not therefore entitled to sit in this august body.³

Q. Is it historically true, Dr. Ibn-Daud, that some of the members of the Great Sanhedrin bore the title of "scribe"? A. No, sir, it is definitely untrue. It cannot be supported by historic facts.

The first sage, among the Jews, crowned with the title "scribe," in Hebrew *sopher*, was Ezra, who returned from the Babylonian captivity, about 515 B. C. E. (Ezra VII : 6). Ezra was followed by a line of scholars who were known in Jewish history and literature as *sopherim*, scribes. According to Zacharias Frankel ("Darke ha-Mishnah," p. 8), and Nachman Krochmal ("Moreh Nebuke ha-Zman," ch. XI), this *sopheric* period lasted for about two hundred years, from the time of Ezra, who was the first member, to Simeon the Just,

who was the last member, i. e., to the conquest of Palestine by Alexander the Great, 300 B. C. E. (See also, Moore, "Judaism in the First Centuries of the Christian Era," Part I. ch. 3). At no time, during the time of the Nazarene, was a member of the Great Sanhedrin, or any scholar who participated in the development of the Jewish Unwritten Law (*Lex non-Scripta*), the Talmud, honored with the title "scribe." In fact, those Doctors of the Law who lived before the destruction of the Second Temple, were given no titles at all; as, Shemaya, Abtalyon, Hillel, Shammai, etc. *Sopher*, scribe, in Talmudic literature, signifies a copyist, or a teacher of the young, or a clerk of the court, a recorder (*Mishnah*, Sanhedrin IV : 3).

Q. Dr. Ibn-Daud, you have heard the witnesses for the Prosecution testify in this Court, that other members of the Sanhedrin were known as "elders," in Hebrew, *zekenim*. Is this statement correct? A. No, sir; it is historically and scientifically untrue.

At no time do we find in the Scripture or in the *Mishnah* a proper noun modified by the adjective *zaken*, old, elder, to denote distinction of learning, erudition, or authority. The word is used in that sense throughout the Biblical literature only as a substantive, and then almost always in the plural, *zekenim*, elders (Ex. III : 16, 18; IV : 29; XVIII : 12; XIX : 7; XXIV : 1, 9, 14; Lev. IV : 15; Num. XI : 16, 24, 25; XVI : 25; Deut. XIX : 12; XXI : 3, 4, 6, 19; XXII : 16, 17, 18; Josh. XX : 4; Jud. II : 7; I Sam. IV : 3; Is. III : 14; Jer. XXIX : 1; a. fr.)⁴

Q. Now, Dr. Ibn-Daud, what conclusion do you draw from the fact that these witnesses, the authors of the Four Gospels, wrongly used the three titles chief priests, scribes, and elders, in designating the members of the Great Sanhedrin at the time of the Nazarene? A. I can draw only one conclusion, that since the authors of the Gospels were entirely unfamiliar with the organization of the Jewish courts at the time of the Nazarene, they must have lived at a much later period and consequently possessed no first-hand knowledge, and that they were obviously not learned enough to

acquaint themselves with the facts by means of study and research.⁵

Q. The witnesses for the Prosecution testified in this Court (Matthew XXVI : 25; Mark XIV : 45; a. fr.) that the disciples had addressed Jesus as "Rabbi." Will you please tell the Court and the ladies and gentlemen of the jury, whether that title was known among the Jews, during the lifetime of the Nazarene? A. The title "Rabbi," from the word *rab*, great, and meaning "my master," was not conferred upon any sage before the destruction of the Second Temple, 70 C. E. All Jewish Doctors of the Law bore no title at all before this period.

According to Sherira Gaon (in a letter addressed to Jacob ben Nissim, quoted by Nathan Jehiel, in the "Aruk," s. "Abaye"), "the title 'Rabbi' dates from the time of the disciples of Rabban Johanan ben Zakkai (that is, after the destruction of the Second Temple) downward." So Graetz ("Geschichte" IV, p. 431).

Zeitlin ("Who Crucified Jesus?" p. 139) says: "The word 'Rabbi' as a technical expression was not used by the Jews until after the destruction of the Second Temple.

" At the time of the destruction of the Second Temple, the title 'Rabbi' was given to scholars who received authorization to decide the law. Hence, it is surprising to read that Jesus was given the title of 'Rabbi,' when at this time, such title was not yet used."

In the "New International Encyclopedia," the term "Rabbi" is defined as: "An honorary title applied to Jewish teachers of the law, and, in general, to those versed in the law. In the days of Jesus the title had not yet acquired a strictly technical sense, and is properly to be interpreted in the New Testament as a courteous title indicative of respect . . . In later times, in consequence of the dissolution of the temple cult, authority in religious matters fell into the hands of the scholars, and the title Rabbi acquired an official significance and became restricted to those authorized to decide ritualistic and legal questions."

It is obvious that the writer of the preceding article was

compelled to resort to a supposition to justify the use of the term "Rabbi" in the New Testament. However, the truth of the matter is that the title "Rabbi" had not been used at all in the days of the Nazarene even "as a courteous title indicative of respect."

Q. Dr. Ibn-Daud, you have heard the witnesses for the Prosecution testify in this Court (Matthew XXVI : 36; Mark XIV : 32) that the Nazarene, together with his disciples came to a place called "Gethsemane," situated somewhere in the Mount of Olives. Can this place be located? A. No, sir; Gethsemane cannot be located either in ancient or modern Palestinian geography. We know where the Mount of Olives is located. It is a range of hills covered with olives, lying east of Jerusalem, and less than an hour's journey on foot from the city. But there is a great deal of speculation among the authorities as to the site of Gethsemane. (See Hastings "Dictionary of the Bible," art. "Gethsemane.")

The name is a combination of the two words, equivalent to the Hebrew *gath-shemen*, a combination foreign to the Hebrew language. The term *gath*, vat, is invariably used in Hebrew, with very few exceptions, for a wine-press. For pressing olives, the term *beth-habad* is used. (See Klausner, "Yishu ha-Notzri," p. 355.) It must have been sheer ignorance on the part of the writer of this Gospel text to state that any place in the Mount of Olives would have been known by a name so contrary to popular usage as Gethsemane. As the exact location is not given in the Gospels, it is surmised by some authors that an oil-press might have been located at some place in the Mount of Olives, but as there must have been many oil-presses in that locality, it is hardly likely that the Jews would have named any particular place by so general a designation.

Q. Dr. Ibn-Daud, you have heard the witnesses for the Prosecution testify (Matthew XXVI : 57; Mark XIV : 53; Luke XXII : 54) that the officers who had arrested the Nazarene at Gethsemane led him into the palace of the high priest (Caiaphas, according to St. Matthew). All Christian

commentators unanimously agree that Caiaphas, as the high priest, was the President of the Great Sanhedrin at Jerusalem. Is this historically true?⁶ A. No, sir; there is historic evidence to the contrary.

According to a Talmudic tradition (Babli, Shabbat 15a, quoting a Baraita), the President of the Sanhedrin at that time was not Caiaphas but the great and liberal Gamaliel, grandson of Hillel the Elder. Lightfoot ("Horae Hebraicae et Talmudicae," p. 462) and Cohen ("The Pharisiens") adopt the Talmudic tradition. The Book of Acts (V : 34) admits that Gamaliel, a Doctor of the Law, was a member of the Sanhedrin at that time.

Stapfer ("Palestine in the Time of Christ," pp. 92 ff.) and others with him reject the Talmudic tradition that Gamaliel was the President of the Sanhedrin, on the following grounds: (1). It is a direct contradiction of Josephus and the New Testament. (2). We know that Gamaliel was even more liberal than his grandfather Hillel, and we can hardly suppose that as President of the Sanhedrin, he would have humbled himself before the high priest, and allowed him to decide in his stead. (3). The Book of Acts (V : 34) speaks of Gamaliel as a member of the Sanhedrin and not as its President.

The objections raised by Stapfer to disprove the Talmudic contention cannot be sustained, and his citations are wholly inconclusive. Stapfer quotes from Josephus ("Antiquities," XX, x, 1): "The high priests were entrusted with a dominion over the nation." "To have dominion" by no means implies being the head of a tribunal. It is likely that political matters were no longer within the jurisdiction of the Sanhedrin at that time, but had to be decided by the high priests, and that the Sanhedrin retained the power of deciding questions of law and religious matters only.

The other quotation used by Stapfer is from "Contra Apionem" (II : 22) in which Josephus states: "The high priest, administering the law, decides doubtful cases, and carries into execution the sentence pronounced upon the condemned." This author, who was a Jew-hater and had little

regard for the Talmud (which he calls "a heap of rubbish, and the most incomprehensible," etc., p. 25), misquoted Josephus. The passage to which he referred speaks not exclusively of the high priest, but of the priests as a whole, as a caste. Furthermore, he overlooked the statement made in this very citation, which reads: "Which priests our legislator (Moses), at their appointment, did not advance," etc. So Josephus expressly states that he refers to the priests in the Biblical times, appointed by Moses. And it is very true that from the time of Moses to the time of Ezra (circa 515 B. C. E.), the priests constituted the learned caste among the Jews. After the time of Ezra, however, the entire system was changed; judicial power was gradually taken away from the priests and given to men of learning only, and it was immaterial whether they were of priestly stock or laymen.

In the time of the Tannaim, authors of the Jewish *Lex non-scripta*, the Unwritten Law, the high priest lost the prestige that he had acquired through the ages by reason of the dignity of his birth and lineage. Wisdom and learning had become the predominant qualifications for social standing in the community. The law is stated in a very old Mishnah (Horayot III : 8), that if all are alike in erudition, then "a priest takes precedence over a Levite, a Levite over an Israelite, and an Israelite over a bastard," etc. "But," continues the Mishnah, "if a bastard is learned in the Law and a high priest is ignorant of the Law, the bastard that is learned in the Law takes precedence over the high priest that is ignorant of the Law."

Stapfer further attempts to prove his case from Josephus ("Antiquities," XX, ix, 1) that the high priest Ananias fulfilled the two functions of high priest and President of the Sanhedrin. But this citation only serves to contradict him. Josephus states that this Ananias, "a bold man in temper, and very insolent," assembled the Sanhedrin of the judges and lodged accusations against James, whom he delivered to be stoned, and that the "people who were uneasy at the law, disliked what was done . . . and they also informed him (Albinus) that it was not lawful for Ananias to assemble a

Sanhedrin without his consent." Let this passage from Josephus speak for itself in refuting Stapfer's contention. According to this account, the act of Ananias was both a violation of the Jewish law and the Roman restriction placed upon the assembling of a Sanhedrin. Hence, Ananias' act was extrajudicial and not an exercise of his regular judicial powers.

Stapfer further contends that Gamaliel, a very liberal jurist, would not have humbled himself before the high priest, and allowed him to decide in his stead. In that we heartily agree with him. But we contend, that not only Gamaliel, Nicodemus, and Joseph of Arimathaea, whom the Christians recognize as liberal and learned men because they were accredited as such in the New Testament, but even all the other members of the Sanhedrin who did not have the distinction of being mentioned by the early Christians, would not have allowed such gross violations of the Law of God as were depicted by the Evangelists in their testimony.

This author further argues that the Talmudic tradition contradicts the New Testament, in that the writer of the Matthean Gospel mentions Caiaphas as the President of the Sanhedrin, and that the Book of Acts (V : 34) speaks of Gamaliel as a member of the Sanhedrin and not as its President. We must submit that this is not the only incorrect statement and historic blunder made by the writers of the Gospels and the New Testament. As a whole, they were extremely careless and inaccurate, to say the least, in recording the most important case in the history of man.

Q. Who, in your opinion, Dr. Ibn-Daud, was really the President of the Great Sanhedrin at the time of the Nazarene? A. It has been established that the title "Rabban," meaning "our master," was conferred only upon the Presidents of the Sanhedrin, and the first one to receive such title was Gamaliel, the grandson of Hillel.

Sherira Gaon ("Aruk," s. v. "Abaye") states: "Indeed, this title [Rabban] is not met with earlier than the time of the patriarchate. It was first used of Rabban Gamaliel the elder, Rabban Simeon his son, and Rabban Johanan ben Zakkai, all of whom were patriarchs, or Presidents of the San-

hedrin. Besides the Presidents of the Sanhedrin no one is called 'Rabban.'"² Now, since the title "Rabban" was conferred upon Gamaliel the Elder, there can be no doubt that he and not Caiaphas was the President of the Great Sanhedrin. So Frankel ("Hodegetica in Mishnam," p. 58) and Weiss ("Dor, Dor Vedorshav," I, pp. 188, 190). Hence, we must conclude that the whole narration of the so-called trial of Jesus by the Sanhedrin is historically untrue.

Q. Now, Dr. Ibn-Daud, you have heard the witnesses for the Prosecution testify in this Court (Matthew XXVII : 17 ff.; Mark XV : 7 ff.; Luke XXIII : 4 ff.; John XVIII : 29 ff.), that the Jewish leaders who brought Jesus before the Roman Procurator, were extremely arrogant and coarse in his presence. Can these statements be historically substantiated? Please tell the Court and the ladies and gentlemen of the jury what was the nature of the political relations between the Jews and this Roman Procurator Lucius Pontius Pilate. A. I cannot believe that the Jews would have dared to antagonize the Roman dictator. Relations between the Jews and the Roman Procurator were very strained.

According to the historians of that time, Pilate would not have hesitated to use unlimited violence to suppress any group of men, especially Jews, who would have dared to interfere with any of his decisions or actions in his capacity as Roman judge.

Josephus ("Antiquities," XVIII, ii, 1; "Wars" II, ix, 2-4) relates that Pilate brought into the City of Jerusalem standards bearing the image of the Emperor Tiberius. A multitude of people came to beseech him to carry those ensigns out of Jerusalem, so as not to violate their ancient laws which forbade the bringing of any images into the Holy City. Pilate refused to grant their request, and the Jews prostrated themselves on the ground round about the palace, and remained there for five days and five nights.

On the sixth day Pilate sat upon his tribunal in the open market place, and called the multitude, as though he were ready to give them an answer. But when the Jews petitioned him again, he gave a signal to his soldiers who had concealed

weapons on their persons, to surround the petitioners, and threatened them with immediate death, unless they would leave off disturbing him, and return to their homes. He ordered his soldiers to draw their swords. The petitioning Jews fell down in vast numbers together, exposed their bare necks, and cried out that they would rather be slain, than see their law transgressed. Pilate was taken by surprise, and he ordered the ensigns removed from the Holy City.

At another time ("Antiquities," XVIII, iii, 2) Pilate plundered the treasure of the Temple to obtain money for the construction of an aqueduct into Jerusalem. When Pilate came to Jerusalem, a multitude of Jews gathered about his tribunal, protesting the robbery. Pilate ordered his soldiers to disguise themselves as civilians and to hide daggers and staves under their coats. The Jews were taken by surprise, and in the tumult that followed many of them were killed, trampled under foot, and wounded.

Josephus further narrates ("Antiquities," XVIII, iv, 1-2) that a certain Samaritan induced his fellow countrymen to gather together on Mount Gerizim, considered by them the most holy of mountains, promising to show them the sacred vessels which had been laid there by Moses. A great multitude of Samaritans came, and remained overnight in a village called Tirathaba, intending to go up to Mount Gerizim the following day. But Pilate decided to prevent them from going. He ordered a great band of horsemen and footmen to seize the roads and to fall upon the Samaritans who had gathered in the village. Many of them were killed by the Romans; some were taken prisoners; and their leaders were executed in cold blood at Pilate's command. The Samaritans complained of Pilate's actions to Vitellius, president of Syria, who ordered Pilate back to Rome to answer before the Emperor the accusations brought against him by the Jews. Pilate's trial was delayed by the death of Tiberius, and according to Eusebius, "wearied with his misfortune," he put himself to death.

Even one of the Gospel writers, Luke, referred to Pilate's cruelty and profanation, stating (Luke XIII : 1) that, "There

were present at that season some that told him [Jesus] of the Galileans, whose blood Pilate had mingled with their sacrifices." It is true, of course, that this incident lacks historic corroboration.

Philo ("Legatione ad Caium," 38), a member of the Jewish mission sent to Emperor Caligula with the request that the Jews be permitted to worship God in their own way without interference, quotes a letter written by King Agrippa I to Caligula: "He [Pilate] feared lest they might in reality go on an embassy to the Emperor, and might impeach him with respect to other particulars of his government, in respect to his corruption, and his acts of insolence, and his rapine, and his habit of insulting people, and his cruelty, and his continual murder of persons untried and uncondemned, and his never-ending, and gratuitous, and most grievous inhumanity."

Q. You have heard the witnesses for the Prosecution testify that Pilate showed himself merciful and humane by opposing the demand of the Jewish leaders for the crucifixion of an innocent man. This characterization of Pilate apparently contradicts what you have told us about the man. Can you explain that contradiction? A. It is my considered opinion, sir, that Pilate was utterly ruthless and without conscience. If he is represented otherwise in the Gospels, it can only be because the Apostles, especially the first Christians, were eager to fasten the blame for the Nazarene's crucifixion upon the Jews and exonerate Pilate.⁷

Q. Now, Dr. Ibn-Daud, you have heard the fourth witness for the Prosecution testify (John XVIII : 31) that the Jews, in reply to Pilate's suggestion that they should judge the Nazarene themselves, said to him: "It is not lawful for us to put any man to death." Is it historically true that the Jewish courts had neither the right to try cases involving capital punishment, nor the *jus gladii*, right of capital execution? A. This is a very much debated question among historians and jurists. Even Talmudic authorities were not in accord regarding this. Some of them were of the opinion (Babli, Shabbat 15a; Sanhedrin 41a; Abodah Zarah 8b; Mekilta d'Rabbi Simeon p. 126; Jerusalem Talmud, Sanhedrin I, 1)

that the Jewish courts had been deprived of the right to decide capital cases by the Roman government forty years before the destruction of the Second Temple (i. e., 30 C. E.). Maimonides ("Hilkot Sanhedrin," XIV : 13) concurs in this opinion. Other Talmudic authorities, however, Rab Joseph, Rab Hiyya, and the School of Hezekiah, were of the opinion that the right of deciding capital cases had not been taken away from the Jewish courts by the Roman government until the time of the destruction of the Second Temple (i. e., 70 C. E.); and these scholars add: "Although the practice of the four methods of capital punishment was abolished, the theory thereof was not abolished (Babli, Sotah 8b; Ketubot 30a; Sanhedrin 37b).

Josephus ("Wars," II, viii, 1) makes a definite statement: "Now Archelaus's part of Judea was reduced into a province [of Rome], and Coponius was sent as a procurator, having the power of life and death put into his hands by Caesar." Whether this means that the Jewish courts were at that time shorn of their power to try capital cases, is problematical, because in all probability it merely signifies that Coponius had the power to punish political offenses by death.

Salvador ("Histoire des Institutions de Moise," tom IV, liv, 4, ch. iii), and Dupin ("Jesus Devant Caiphe et Pilate") declare that the Jews had lost their power to try capital cases, by virtue of the Roman conquest. Rosadi, in summing up his theory of Roman jurisdiction, says, in part ("Trial of Jesus," pp. 136-39): "Thus the sole authority in Judea that could try Jesus, arrest and examine him, and render him amenable to the consequences of his alleged offense and of a condemnation, was that of the procurator and vice-president, Pontius Pilate, but certainly not Annas, nor Caiaphas, nor the whole Sanhedrin, nor any other Jewish authority. The common opinion to the contrary which reduces the Roman authority, represented by the vice-president, to the mere granting or refusing of assent to the execution of capital sentences pronounced by the Jewish judges—is opposed to historic truth and the provisions of the law." A similar opinion is expressed by Husband ("Prosecution of Jesus," pp. 180-81): "It is

quite beyond belief, however, that any criminal case could have been heard by a native court with independent jurisdiction. For this reason we are bound to maintain that the hearing of Jesus before the Sanhedrin had for its object only the preparation of an indictment to submit to the governor. In this respect the position of the Sanhedrin was exactly that of the strategus in a *nomos* of Egypt.”⁸

There are, however, other authorities who hold the opinion that the Jewish courts, even under the subjugation of Rome, still had the right to try capital cases.

Schuerer (“Geschichte des Juedischen Volkes,” 1st Div. II) says: “It may be assumed that the administration of the civil law was wholly in the hands of the Sanhedrin and native local magistrates; Jewish courts decided according to Jewish law. But even in the criminal law this was almost invariably the case, only with this exception, that death sentences were required to be confirmed by the Roman procurator. In such cases, the procurator decided, if he pleased, according to Jewish law.” Mommsen (“*Romisches Staatsrecht*,” III, i, p. 748) agrees that the Sanhedrin possessed such power.

Geib (“Geschichte des romischen Criminal Processes”) says: “Only one province, namely, Judea, at least in the earlier days of the empire, formed an exception to all the arrangements hitherto described. Whereas in the other provinces the whole criminal jurisdiction was in the hands of the governor, and only in most important cases had the supreme imperial courts to decide—just as in the least important matters the municipal courts did—the principle that applied in Judea was that at least in regard to the question of religious offenses the high priest with the Sanhedrin could pronounce even death sentences, for the carrying out of which, however, the confirmation of the procurator was required.”

Almost all Christian commentators, in interpreting the trial of Jesus by the Sanhedrin as reported in the three Synoptic Gospels, agree with the last views.

Jean Juster (“*Les Juifs dans l'Empire Romain, leur condition juridique, economique et sociale*,” Vol. II, pp. 132-145)

holds with the Talmudic view that the Sanhedrin continued to function until the destruction of the Second Temple.

Q. Now, Dr. Ibn-Daud, what is your own opinion regarding this question of the jurisdiction of the Jewish courts in the time of the Nazarene? A. This is a very difficult problem, sir.

However, it is my opinion that the Jewish courts retained their jurisdiction to the time of the destruction of the Second Temple. There is evidence to support this opinion in Talmudic literature as well as in the books of the early historians and the New Testament.

The Mishnah (Sanhedrin VII : 2) lays down the law that in executing a culprit by burning, the stake must not be used, but some other method which permitted the body to remain unmarred. Rabbi Eliezer ben Zadok took issue with the sages with regard to this rule of law, and he said: "Once a priest's daughter was convicted of having committed adultery, and they surrounded her with bundles of vine-shoots and burnt her." Now a Tosefta (Sanhedrin IX : 3) records the time at which the case arose. There it is stated: "Said Rabbi Eliezer ben Zadok, 'I recollect that, when I was a child (during the last years of Judea's commonwealth) and was riding on my father's shoulders, I saw that a daughter of a priest, who had been convicted in Jerusalem for having committed adultery, was surrounded with bundles of vine-shoots and burnt.'"

Josephus ("Antiquities," XVI, vi, 1-2) relates that the Jews of Cyrene had sent a petition to Augustus Caesar concerning their ill treatment at the hands of the Greeks. To which Augustus replied by sending word to the proconsul Caius Norbanus Flaccus, "that the Jews have liberty to make use of their own customs, according to the law of their forefathers, as they made use of them under Hyrcanus the high priest of the Almighty God."

Some authors (Husband, "Prosecution of Jesus," p. 28, and others) argue that this decree of Augustus "refers only to religious customs, and not to civil matters at all." These authors fail to recognize that among the Jews, who lived in a

purely theocratic commonwealth, and who abided by their revealed law, there existed no other law than religious law. Every law, whether it referred directly to religious questions or to civil matters, was considered a divine rule, and every infraction thereof was considered a "sin" against God. One cannot therefore draw a distinction between religious and civil matters among the Jews. Permission to live in accordance with their laws must necessarily have meant permission freely to observe the Law of Moses as interpreted and practiced by the Jews at that time, irrespective of the nature of the offense or violation.

Philo ("Legatione ad Caium," 24) also states that Tiberius ordered governors not to change any of the Jewish customs.

Josephus ("Wars," VI, ii, 4) states that Titus at the siege of Jerusalem said to John of Gischala and his party, "Have you not, vile wretches that you are, by our permission put up this partition wall before your Sanctuary? Have you not been allowed to put up pillars thereto belonging, at due distances, and on it to engrave in Greek, and in your own letters this prohibition, That no foreigner should go beyond that wall? Have we not given you leave to kill such as go beyond it, though he were a Roman?" Isn't this convincing evidence that the Romans did not interfere in the religious life of the Jews, even when they put to death a Roman citizen for passing beyond the barriers of the Sanctuary?

The stoning to death of Stephen by the Great Sanhedrin, as told in Acts (VI : 9-14; VII : 54-60) is definite proof that the Jewish courts did have the power to try capital cases. For there can be no doubt that the execution of Stephen was a judicial act. Millman ("History of the Jews," Vol I, p. 441, note 3) says: "The stoning of Stephen in the Acts, seems to have been a judicial not a tumultuary proceedings."

The early Christian writers, confronted with the difficulty of reconciling the reported trial and execution of Stephen with the statement made in the Johannine Gospel which quotes the Jews as having said, to Pilate (John XVIII : 31), "it is not lawful for us to put any man to death," had to re-

sort to obviously far-fetched theories to justify the Johannine text. Millman (*l. c.*) further says, "The older Christian writers were perplexed with this difficulty. Theophylact thinks its meaning to be that they had no power to put to death by crucifixion; others that they had no power to put to death for treason; and the crime of which Jesus was accused was treason against the Roman authority. Augustine and Chrysostom, that it was not lawful to put to death on a holy day, as the preparation for the Passover."

Of course, it is superfluous to point out that the explanations offered by the older Christian authorities of the Johannine text cannot be sustained. It is my opinion, therefore, that the much disputed verse (XVIII : 31) in John contains an inaccurate assertion imputed to the Jews, because it is historically untrue.

Q. Dr. Ibn-Daud, you have heard the witnesses for the Prosecution testify that the Roman Procurator had a custom of releasing one prisoner during the festival season of Passover (Matthew XXVII: 15; Mark² XV : 6; Luke XXIII : 17; John XVIII : 39). Can this statement be historically verified? A. No, sir, it cannot. No trace of such a custom can be found either in the contemporary histories nor in the Talmuds.

Christian authors (Stapfer, "Palestine in the Time of Christ," p. 446; Gould, "Mark," XV : 6; Carr, "Matthew," XXVII : 15; Bernard, "John," XVIII : 38; and others) admit that no trace of such a custom can be found elsewhere.

Husband ("The Prosecution of Jesus," p. 58) argues: "If this had been the case, and it had been adopted by the Romans prior to the time of Pilate, it is certain that Josephus would have mentioned it in his history of the period. Nor would it have been omitted by Philo when he was enumerating all the favors received by the Jews from the Romans (*Leg. ad Caium*, 21-38)."

Plummer ("Matthew," p. 388) says: "Respecting the custom of releasing a prisoner at the Passover we know no more than what is told in the Gospels. It might easily have been a Jewish custom, which the Romans, with their custom-

ary tolerance of national institutions that were not dangerous to their rule, continued." This suggestion is untenable. In the first place, there is absolutely no evidence that such a custom had ever existed among the Jews. Secondly, this author is inconsistent with himself, as in this particular instance the Procurator would not have dared to honor the custom, even if it had existed, because it related to an offense which was definitely "dangerous to the Roman rule." For, had not Barabbas been imprisoned by the Romans for inciting insurrection and committing murder during the insurrection against Rome in a conquered province (Mark XV : 7; Luke XXIII : 19, 25)?

Q. You have heard the witnesses testify (Matthew XXVII : 33; Mark XV : 22; John XIX : 17) that Jesus was led outside the city to a place called "Golgotha," the place of a skull, or to "Calvary," which in Latin has the equivalent meaning of the Hebrew "Golgotha" (Luke XXIII : 33). Can you locate this place? A. No, sir, I cannot. The exact location and the nature of the place, supposed to be near Jerusalem, has never yet been definitely established. No one has been able to locate it on the map of Palestine. (See Hastings, "Dictionary of the Bible," art. "Golgotha"). Carr ("Matthew" XXVI : 33), like most Christian authors, admits: "The site of Golgotha is unknown."

Q. Can you explain, please, why, in your opinion, the writers of the Gospels chose to mention a place that cannot be located on the map? A. In my opinion, the reason they saw fit to mention this probably non-existent place was to add a touch of horror to the story thereby making the martyrdom of the Nazarene more pathetic. No doubt it was also the purpose of the early Christians thus to pile abuses upon the Jews by inviting the gullible people to believe that there actually existed among the Jews a place known as "Golgotha," derived from the Hebrew word *gulgolet*, meaning skull—a place as suggested in the text and interpreted by zealous Christian commentators, littered with the skulls of the victims of Jewish law or violence.

Winer ("Bibl. Realwoerterbuch," art. "Golgotha") states

that the name of the place Golgotha was derived from the use to which it was put, and from the skulls and skeletons of executed prisoners to be seen there. An etymology of this kind is in contradiction to the rigorous care which the Jews devoted to the burying of human remains, which were sources of pollution. It is most unlikely that such remains would have been visible. Many Christian authors admit that such could not have been the case. Plummer ("Matthew," XXVII : 32), among others, says: "That it got its name from the skulls lying there unburied is incredible. The Jews would not have tolerated unburied bones; and the name in that case would have been 'place of skulls.'"

Furthermore, there could not have been a place called by the Jews "Golgotha," because the word is not a correct derivative of the word "skull" either in the Hebrew or in the Aramaic. In Hebrew the word for "skull" is, as I have stated, *gulgolet*, and in the Aramaic it is *gulgalto*. "Golgotha," is consequently an incorrect derivative, for if it is meant to be from the Hebrew or Aramaic word "skull," it should have been named "Golgoltha."

Q. You have heard the witnesses testify (Matthew XXVII : 57; Mark XV : 43; Luke XXIII : 51-52; John XIX : 38) that a certain man, Joseph of Arimathaea, came to Pilate and asked for the body of the Nazarene. Will you please explain where the town of Arimathaea was located? A. I regret that I am unable to locate it on the map of Palestine. This town is not mentioned anywhere else, either in the Old Testament or in the New Testament. It is mentioned only by the four Gospel writers in connection with Joseph, the hero of this Gospel story. Its geographical location has not yet been ascertained by any of the Christian commentators or authors.

Allow me to quote some of the suppositions advanced by Christian authors regarding "Arimathaea." Hastings ("Dictionary of the Bible," art. "Arimathaea") says: "A place known only in connexion with Joseph. It was probably near Lydda."

Gould ("Mark," XV : 43) remarks: "Arimathaea, the

Hebrew Ramah, was the name of several places in Palestine. Probably, this was the one mentioned in the Old Testament (I Sam. i, 1, 19) as the birthplace of Samuel in Mount Ephraim."

Rice ("Commentary on Luke," XXIII : 51) suggests that it was probably located at Er Ram, about six miles north of Jerusalem.

Of course, these conjectures are far-fetched, for the reason that Arimathaea is not a correct transliteration either of Ramah or Ramoth.

Q. By the way, Dr. Ibn-Daud, are the two men, Joseph of Arimathaea and Nicodemus, who are mentioned in the Gospels as having been members of the Great Sanhedrin at Jerusalem (Mark XV : 43; Luke XXIII : 50; John III : 1, VII : 50), referred to anywhere but in the Gospels? A. No, sir; history has no record of them whatsoever. There is no reference to them either in Talmudic literature or in Jewish histories. They are mentioned only in the Gospels in connection with the burial of Jesus. Nicodemus is mentioned several times but only by John (III : 1; VII : 50; XIX : 39).

Q. Is it possible, then, that those places and personalities mentioned by the witnesses for the Prosecution were mythical? A. Not only possible, sir, but in my opinion, certain. I do not believe that they ever existed except in the imaginations and legends of the Gospel-writers, who were either ignorant of the geography of Palestine, or were deliberately inventing names and places to confuse the reader.

Mr. Ben Yehudah: The witness is yours. You may now cross-examine Dr. Ibn-Daud, if you choose.

Cross-examination by Mr. Christiani.

Q. Dr. Ibn-Daud, you testified that the chief priests, or ordinary priests, did not always form a component part of the Sanhedrin. Is it not a fact that the Mishnah (Sanhedrin IV : 2) says that the Sanhedrin was composed of "priests, Levites and lay-Israelites whose daughters were permitted to marry the priests"? A. This Mishnah is quoted by Stapfer

("Palestine in the Time of Christ," p. 97) and other Christian authors to prove that priests always formed a component part of the Sanhedrin. However, they misinterpret this Mishnah, quoting a portion of it out of the context.

The text of this Mishnah reads: "All are qualified to hear and determine civil cases, but not all are qualified to hear and determine cases involving capital punishment, but only priests, Levites and lay-Israelites who may give their daughters in marriage into priestly stock."

This Mishnah does not prove at all that some of the members of the Great Sanhedrin or the Lower Sanhedrin were always either chief priests or ordinary priests. This Mishnah merely lays down a rule of eligibility to a seat in the Sanhedrin that had jurisdiction over capital cases. It states that the proposed member, in addition to all other qualifications,⁹ must be able to trace his ancestry through a line of pure Jewish stock. That means, he must be either a priest or a Levite, whose genealogy was not in question because it had already been established in the time of Ezra upon his return from the Babylonian captivity (Ezra II), or a lay-Israelite who was now able to prove such genealogy.

In the Sifri (on Deut. XVII : 9), the law is clearly stated, as deduced from the Biblical text, that it is preferable to have priests and Levites occupy seats in the Greater Sanhedrin, but that if no competent priests or Levites could be found to occupy such seats, the entire Sanhedrin might consist only of lay-Israelites. (So Maimonides, *Hilkot Sanhedrin* II : 2).

Q. Dr. Ibn-Daud, you testified that at the time of Jesus no man of learning was crowned with the title "elder," whether he was a member of the Sanhedrin or not. Did you mean to say by this that no such title was given to any man? A. No, sir. I meant that the title was not used to denote erudition or learning.

Q. Is it not a fact, Dr. Ibn-Daud, that some men of note among the Jews, immediately before the time of Jesus and during his lifetime, were titled "elder," such as, for instance, Hillel, Shammai, and Gamaliel? A. That is true, sir. The

Doctors of Law you mention were designated in Talmudic literature as "elder"; *Hillel ha-zaken*, Hillel the Elder (Babli, Yoma 35b), and *Shammai ha-zaken*, Shammai the Elder (Mishnah, Sukkah II : 8); and *Gamaliel ha-zaken*, Gamaliel the Elder (Mishnah, Rosh ha-Shanah II : 5; Mishnah Gittin IV : 2, a. fr.). But the term *zaken* (elder), in these instances, was not meant to be an honorary title at all; it was employed as the equivalent of "senior," in order to distinguish these from other scholars known by that name who lived after the time of these "elders." The title *zaken*, elder, was never conferred upon Talmudic scholars or upon any other authorities among the Jews at that time.

Even if we accept the opinion advanced by some scholars (Weiss, "Dor Dor ve-Dorshav," Vol. I, p. 168; "Jewish Encyclopedia," art. "Hillel") that the title *zaken* was used to designate that those upon whom it was conferred belonged to the learned or the members of the Sanhedrin, there can be no doubt that it was conferred only on very few, and that it was not generally applied to members of the Sanhedrin or to teachers of the Law.

Mr. Christiani: That will be all, sir.

Mr. Ben Yehudah: No re-direct examination of this witness.

The Court: You may now call your next expert witness for the Defense. Are you ready?

Mr. Ben Yehudah: Yes, your Honor, the Defense is ready.

Direct and Cross-Examination of Dr. Judah Ha-Levi, Expert in Jewish Religion

DR. JUDAH HA-LEVI, called as a witness in behalf of the Defense, being duly qualified as an expert in Jewish religion, and being duly sworn, testified as follows:

Direct examination by Hayyim Eliyahu ben Yehudah.

Q. Dr. Ha-Levi, you have heard two witnesses for the Prosecution testify (Matthew XXVI : 6; Mark XIV : 3) that the Nazarene, together with his disciples, gathered in the house of Simon the leper who resided in Bethany. According to the tenets of the Jewish religion, would it be possible for them to have gathered in the house of a leper? A. No, sir, it would have been absolutely impossible. According to the Mosaic Law (Lev. XIII : 45-46), no lepers were permitted to remain in the city, but had to be quarantined outside the camp of Israel until entirely cured. This practice had been maintained by the Jews throughout the ages (II Kings VII : 3). No leper, therefore, could have dwelt in Bethany and the Nazarene and his disciples could not have gathered in his house.

Q. It has been maintained by some Christian commentators (Gould, ICC. "Mark" XIV : 3; McNeile, "Matthew" XXVI : 6; Swete, "Mark" XIV : 2, and others) that this Simon, although he had been a leper, had been cured by the Nazarene in an unrecorded miracle. Do you consider this explanation plausible? A. I would find it hard to understand, sir, why the Evangelists would have preferred to designate a man as a leper after he had been cured. The use of the nickname, "the leper," would have been most unkind and a clear violation of Jewish ethics. This is borne out by the following rule of ethics laid down in the Talmud by the following rule of ethics laid down in the Talmud (Babli, Baba Mezia 58b; Maimonides, *Hilkot Deot* VI : 8, *Hilkot Teshubah* III : 14): "Said Rabbi Hanina: 'All those who

descend into the Gehena (hell) eventually ascend therefrom, excepting the following three who descend therein and never ascend therefrom: (a) He who commits adultery with another's wife; (b) he who exposes his fellowman to shame in public; and (c) he who calls his neighbor by a nickname, although the latter is used to be called by that name and does not mind it any longer."

It has been suggested by H. P. Chajes ("Markus-Studien," SS. 74-75) that in the original Hebrew version of the Marcan Gospel, the text read *Shimeon ha-zonua*, which means, Simon the discreet, or chaste, and that the copyist, mistaking the Hebrew letter *nun* for *resh*, recorded the word as *Shimeon ha-zorua*, meaning, Simon the leper. This most ingenious explanation, however, cannot be sustained. In the first place, the adjective *zonua* is very rarely used for the purpose of modifying a virtuous or pious man.¹⁰ Secondly, no competent translator from Hebrew into Greek would have been likely to make so obvious an error. Thirdly, while it has not been definitely established, most authorities hold that the Gospel of Mark was originally written in Greek (A. J. Maclean, in Hastings "Dictionary of the Bible," art. "Mark, Gospel according to," s. 7).

Q. Dr. Ha-Levi, you have heard the witnesses testify (Matthew XXVI : 12; Mark XIV : 8) that when the disciples of the Nazarene protested the extravagance of the woman in having poured a vial of precious ointment on the head of the Nazarene, the Nazarene said to them: "She did it for my burial," (Matthew) or: "She is come aforehand to anoint my body for the burying" (Mark). Could the Nazarene as a Jew have made such a statement to his disciples? A. No, sir. No law or custom existed among the Jews that a living being's head should be anointed with ointment or oil in expectation of burial.¹¹

Q. The fourth witness for the Prosecution testified (John XII : 3, 7) that after Judas had protested when a certain woman named Mary had anointed the feet of the Nazarene with a pound of very costly ointment, the Nazarene declared: "Against the day of my burying hath she kept

this." To your knowledge, was there a custom among the Jews to anoint the feet of a person before burial or after death? A. Definitely not. There was no such custom or law in Israel.

Q. You have heard this witness testify further (John XII : 3) that this woman wiped the feet of the Nazarene with her hair. To your knowledge, Dr. Ha-Levi, was this a custom among the Jews? A. How preposterous! Of course there was no such custom in Israel.

Q. What, in your opinion, would have been the reaction of a religious Jew if a woman had wiped a stranger's feet with her hair, and if the man had accepted such marks of love with satisfaction, as the Nazarene was reported to have done (John XII : 7-8)? A. Religious Jews would have been shocked by such conduct. They would have considered it an act of extreme lewdness. The law is laid down in the Talmud clearly and concisely: "The sight of woman's hair is an impropriety," and one is not permitted to read the prayer *sh'ma*¹² when one sees a woman's hair (Babli, Berakot 24a). It is needless to add that it was surely an impropriety for a woman to wipe a man's feet with her hair. I submit that this Johannine account is inaccurate, because such an incident could not have occurred among religious Jews.

Permit me to quote the opinion of Bishop Bernard (ICC. "John" pp. 410-411): "This is *prima facie* a strange statement. Anointing the feet of a guest might follow the washing of them, but why should the ointment be wiped off? And it is impossible that a suitable towel would not be at Mary's disposal in a house where the acting hostess was her sister. That she should have used her hair for the purpose of wiping the feet of Jesus, is an extraordinary circumstance."

And the same author ("John" XII : 3) says: "It is further to be observed that for a woman to have her hair unbound was counted immodest among the Jews (see Lightfoot, Hor. Hebr. in John XII : 3), and that Mary should unloose her hair at an entertainment where men were present requires some special explanation."

Q. Is it true, as has been maintained by many Christian scholars (Allen, "Matthew" XXVI : 17; Hastings, "Dictionary of the Bible," art. "Passover," and others) that there were two distinct Spring Festivals among the Jews, one that was designated in the Pentateuch as "Passover," which was celebrated on the eve of the fifteenth of Nisan, i. e., on the fourteenth in the evening, and the other designated as the "Feast of Unleavened Bread," which was observed from the fifteenth to the twenty-first day of Nisan? A. According to the opinion of many Biblical critics, in pre-Mosaic times the two Festivals, "Pesah," and "Unleavened Bread" were two distinct pastoral spring holidays. There can be no doubt, however, that in the Mosaic legislation there was but one spring festival, known as the "Feast of Unleavened Bread."

True, in some Biblical texts, the eve of the fifteenth day of the month of Nisan, was designated as "Passover." It is also true that the seven days from the fifteenth to the twenty-first day of Nisan was designated as the "Feast of Unleavened Bread" (Lev. XXIII : 5, 6; Num. XXVIII : 16, 17).

These Biblical texts, however, do not signify, as has been contended by many scholars, that by the Mosaic ordinance the Jews observed two distinct festivals. Throughout the Biblical literature, the Spring Festival is always designated by *hag ha-mazot*, feast of unleavened bread (Ex. XXIII : 15; XXXIV : 18; Lev. XXIII : 6; Deut. XVI : 16; II Chro. VIII : 13; XXX : 13, 21). As for the Leviticus and Numbers texts, they do not read *hag ha-pesah*, a feast of Passover, as they do when they mention the "feast of unleavened bread." In Leviticus the text reads *hag ha-mazot* (XXIII : 6), and in Numbers it reads *hag*, festival (XXVIII : 17), when speaking of the fifteenth day of Nisan. The word *pesah*, passover, is not preceded in those texts by *hag*, festival, and therefore the term merely denotes that there is to be a sacrifice of the paschal lamb, as is clearly defined in other Biblical texts (Ex. XII : 11, 21, 27, 43, 48; Deut. XVI : 1, 2, 5, 6. So in the New Testament, Mark XIV : 12; Luke XXII : 7).¹³

Furthermore, the eve of the fifteenth day of Nisan

could not have been considered a distinct festival exclusive of the Spring Festival of "unleavened bread," since the paschal lamb on that evening had to be eaten with *mazah*, unleavened bread, by which the Festival received its official name (Ex. XII : 8). In Deuteronomy (XVI : 3) it is expressly forbidden to eat leavened bread with the paschal lamb. This would tend to indicate that there was, as far as the Mosaic Law is concerned, only one Festival known as the "Feast of Unleavened Bread," but that the eve of the fifteenth was especially mentioned for the reason of its special importance whereon the paschal lamb was eaten.

Q. Now, Dr. Ha-Levi, you have heard the witnesses for the Prosecution testify (Matthew XXVI : 17; Mark XIV : 12; Luke XXII : 8) that the Nazarene and his disciples made preparations to "eat the passover." In a religious sense what does this expression mean? A. It can have but one connotation, sir, namely, to eat the paschal lamb on the eve of the fifteenth day of the month of Nisan. In the Pentateuch the paschal lamb is designated by "passover" (Ex. XII : 11, 21, 27, 43, 48; Lev. XXIII : 5; Num. XXVIII : 16; Deut. XVI : 1, 2, 5, 6.).

Q. However, it has been maintained by most modern Christian scholars that the Nazarene and his disciples did not on the evening before his trial by the Sanhedrin partake of the paschal lamb, because there had been no paschal lamb prepared. Can this contention be maintained? A. No, sir, it cannot. They were forced to draw this conclusion in order to overcome certain difficulties connected with the entire episode, and the contradictory Gospel narratives. But their conclusions are not well-founded.

For instance, Plummer ("Matthew," p. 358) explains: "They made ready the passover" (Matthew XXVI : 19) means that they prepared a room for the paschal meal." In note 1 on the same page, this author remarks: "That our Lord makes no comparison between himself and the paschal lamb, or between his blood and that of the lamb, is strong evidence that there was no lamb."

This author would have us believe that the Apostles

disobeyed their master's instructions in response to their own query: "Where wilt thou that we prepare for thee to eat the passover," which, as has been stated before, can have no other connotation than to eat the "paschal lamb." The Nazarene accordingly instructed them to go to a certain man with whom he had made previous arrangements to keep the Passover in his house. But now, according to this author, they did not prepare the lamb, but they simply prepared "a room for the paschal meal." He arrives at this conclusion simply because the witnesses for the Prosecution did not possess enough knowledge or art in describing the drama to mention the meat of the lamb as his body and the blood of the lamb as his blood for the new covenant, instead of using bread and wine as symbols at the last supper.

Carr ("Matthew," XXVI : 17) says: "The events of the Passover are full of difficulty for the harmonist. It is however almost certain that the 'Last Supper' was not the Paschal meal, but was partaken on the 14th, that is after sunset on the thirteenth of Nisan." This author, like most modern critics, accepts the Johannine version that the trial and crucifixion of the Nazarene took place on the day before the Passover. But how will this author explain away the explicit narratives of the three Synoptists that it occurred on the first day of Passover?

Farrar ("Luke" XXII : 49) remarks: "Since it was illegal to carry swords on a feast-day, we have another sign that the Last Supper had not been Passover." So this learned author draws a conclusion from the testimony of this witness to refute this witness' own testimony. For did not St. Luke expressly state that the Last Supper was the Passover meal (Luke XXII : 7, 8, 11, 13, 14)? Edersheim ("Life and Times of Jesus," Vol. II, p. 481) says with reference to the Last Supper as recounted by Luke: "It is almost impossible to imagine anything more evident, than that he wishes us to understand that Jesus was about to celebrate the ordinary Jewish Paschal Supper." He then proceeds to prove his contention from the texts, and concludes: "No ingenuity can explain away these facts." And what this author does with

the Johannine account which expressly states that the arrest, trial, and crucifixion took place on the day before Passover, is difficult to ascertain, as "no ingenuity can explain away this fact" either.

Permit me to cite one more example of Christian logic. McNeile ("Matthew" XXVI : 17) says: "Matthew, like Luke follows Mark in placing the incident on the day on which, at 6 p. m., Nisan 14 (15) began, so that the Last Supper coincides with the eating of the Passover." Then this author (in verses 21, 26) advances six reasons why the Johannine chronology should be accepted in preference to that of the three Synoptists.

This learned Christian author overlooked a statement he made (*l. c.* verse 5): "Jesus on the contrary said (v. 2) that it would be on the festival, and He was right." But Jesus was not right! For this author rejects not only the chronology of the three Synoptists but also the prophecy of Jesus himself, by accepting John's date that it did not occur on the Festival.

Yes, to patch up difficulties arising out of the testimony presented by the four Evangelists, Christian commentators arrive at certain conclusions which are in direct contradiction to the express statements recorded in the Synoptic texts. They take the liberty of disregarding the premise that whatever is contained in the Four Gospels is the "gospel truth." They conveniently ignore the Synoptists' explicit statements, and deem it advisable to accept the non-synoptic view of John, or vice versa. Or, if need be, they even misinterpret Gospel texts which are so explicit and clear that no other interpretation can be placed upon them.

The Christian luminaries squirm under the mass of contradictions and inconsistencies. They are unable to arrive at one conclusion and determine the exact facts, because these Gospel accounts are not facts. No two or more imaginary tales, written by unskilled men, can be made to harmonize. But this does not prevent them from concluding in unison that the Jew is a "Christ killer," although their conclusion is based solely on these irreconcilable accounts.

Q. Dr. Ha-Levi, you have heard the witnesses St. Matthew and St. Peter testify (Matthew XXVI : 26; Mark XIV : 22) that "as they did eat, Jesus took bread, and blessed it, and brake it, and gave it to the disciples." Can this narrative be sustained on the principles of the Jewish religion? A. No, sir, it cannot. No Jew, however ignorant he might have been would have been so unfamiliar with a ritual that had been commonly practiced among the Jews several times a day from the remotest times until this very day—the ritual of washing one's hands before meals, pronouncing the benediction prescribed on the occasion of hand-washing, and then pronouncing the appropriate benediction for the invocation before breaking bread: "Praised be Thou, O Lord our God, King of the universe, who bringest forth bread from the earth." Only after this might one proceed with one's meal (Babli, Hullin 105a; Sotah 4b; Shabbat 62b; Mishnah, Bera-kot VI : 1). Since these witnesses testified that Jesus and his disciples first ate, and in the course of the meal he first broke bread and pronounced the benediction over it, one must conclude that either the writer of the Gospels or the Nazarene himself was utterly ignorant of the Jewish rituals that were practiced by every man and woman in Israel.

Q. You have heard the three Synoptic witnesses testify in this Court (Matthew XXVI : 27; Mark XIV : 23; Luke XXII : 17) that the Nazarene took a cup of wine, gave thanks, and then offered the cup to his disciples to drink. Is this in conformity with Jewish religious law? A. No, sir. In the first place, from the meagre description given by Matthew and Mark, it is hard to tell which of the four cups the Nazarene took and whether he pronounced the *kiddush*, inauguration of the Festival, or the Grace after meals.

St. Luke, in his testimony, spoke of two cups of wine, one which Jesus drank before the meal, and the other thereafter. After the first cup, he announced to his disciples that he would not drink of the fruit of the vine "until the kingdom of God shall come." After drinking of the second cup, after the meal, he told his disciples that "this cup is the new testament in my blood."

Matthew and Peter know of only one cup of wine, out of which all the disciples drank, and concerning which the Nazarene said, "this is the blood of my new testament," and then announced that he would no more drink of the fruit of the vine" until that day that I drink it new in the kingdom of God."

From this confusing, unintelligible account of observing the Passover-eve ritual, one cannot tell exactly what happened there and when. One is unable to ascertain whether Luke's narration, or those of Matthew and Peter are correct.

Secondly, this is a direct violation of the Jewish religious law which dictates that on the eve of Passover every male adult must drink four cups of wine and pronounce the appropriate benediction over each one (Mishnah, Pesahim X : 1; Maimonides, *Hilkot Hametz* VII : 7; VIII : 1). Now, if all the disciples drank out of the one cup of wine which was given to them by the Nazarene, they could not have pronounced a benediction over it, since it had already been blessed by him, and as a result they would not have fulfilled their obligation of drinking four cups of wine on this occasion.

Q. Dr. Ha-Levi, you have heard the first three witnesses for the Prosecution testify (Matthew XXVI : 26, 28; Mark XIV : 22, 24; Luke XXII : 19, 20) that the Nazarene instructed his disciples to eat the bread which was his body and drink the wine which was his blood of the new testament. Can you explain the significance of this alleged ritual? A. Yes, sir. It is told (Ex. XXIV : 8; Heb. IX : 18-20) that the covenant between God and the Israelites was confirmed by the blood of animal sacrifices. But this alleged new testament or covenant was confirmed by the Nazarene, according to this testimony, with wine and bread symbolic of his blood and body; hence with human blood, with human sacrifice. This was evidently a new type of Moloch service.

Q. In your opinion, when the Nazarene stated to his disciples that "this is the blood in the new testament," what does the expression "new testament" signify? A. It can have

but one significance, namely, that the Testament of God was being replaced by a new one, that the old one had become obsolete.

Q. In your opinion, Dr. Ha-Levi, is it true that a new testament was introduced by the Nazarene to the world to replace the Law of Moses? A. No, sir. It is inconceivable that the Nazarene should have claimed that he gave a new testament to or made a new covenant with humanity, abolishing the one made by the Almighty Himself. This would be an express violation of the command of God, that His Law as given to Moses must remain in force forever, and is not subject to change, diminution, or addition. It is expressly written (Deut. XIII : 1): "All this word which I command you, that shall ye observe to do; thou shalt not add thereto, nor diminish from it."

Matthew himself testified (Matthew V : 17-18) that the Nazarene had said: "Think not that I am come to destroy the law or the prophets: I am not come to destroy, but to fulfil. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled." Yet these witnesses now wish us to believe that the Nazarene not only broke the law, in justifying the profanation of the Sabbath (Matthew XII : 1-8; Mark II : 23-28; Luke VI : 1-5); in openly abrogating the law of God (Lev. XI; XX : 25-26) which forbids the eating of forbidden foods (Matthew XV : 11-12; Mark VII : 14-19); in openly abrogating the law of divorce, and declaring that the Almighty permitted divorce only as a temporary measure "because of the hardness of your hearts" (Matthew XIX : 7-8; Mark X : 2-12; Luke XVI : 18). Indeed they now ask us to believe that the Nazarene actually confirmed an entirely "new testament" or covenant with the sacrifice of his blood, thus discarding the Law of God. This so-called "new testament" cannot be considered a continuation or a strengthening of the Mosaic Law, since some of the theories propounded therein are diametrically opposed to the most fundamental principles of the Mosaic Law. The "new testament," therefore can be considered as nothing but as an abrogation of the Law of God.

Furthermore, there are no new ethical principles in the "new testament," but simply a restatement and collection of some old principles. This contention has already been successfully proven by many authors, and there is no need for me to repeat the proof. (See, Friedlander, "The Jewish sources of the Sermon on the Mount," London, 1911; Salvadore, "Jesus Christ et sa doctrine," pp. 355-56; Geiger, "Das Judenthum und seine Geschichte," SS 108-48; and others.)

It might be asked, how could the Nazarene have said that he would abolish the Old Testament? His entire mission on earth as the Messiah, descended from David, and as the "son of God," was predicated by himself as well as by the Apostles on the Old Testament (Matthew XXVI : 24, 54; Mark XIV : 21, 49; Luke III : 10; XXII : 22; XXIV : 25, 44, 46; Acts II : 37; IX : 6; XVII : 3; a. fr.). If he considered the Old Testament invalid, then its alleged prophecies concerning the Nazarene must also have been invalid. He would not have dared to question the authority and the inviolability of the Bible in its entirety.

Q. Dr. Ha-Levi, you have heard St. Matthew testify (Matthew XXVI : 28) that the Nazarene had said that his blood was shed "for the remission of sins." In your opinion, is this religious concept, alleged to have been advanced by the Nazarene, of sacrificing a human life for the purpose of appeasing the wrath of the deity and obtaining thereby the remission of sins committed by others, of Jewish origin? A. No, sir. I know of no such principle or concept in the Jewish religion.

On the contrary, the law of Moses expressly provides (Deut. XXIV : 16): "Every man shall be put to death for his own crime." When the Israelites committed the crime of worshiping the golden calf in the wilderness, Moses offered to take their sin upon himself, saying (Ex. XXXII : 32): "Blot me, I pray Thee, out of Thy book." But the Almighty refused (*l. c.* verse 33): "Whosoever hath sinned against me, him will I blot out of My book."

Q. Is this dogma in conformity with the Jewish religious principles? A. No, sir. From a Jewish theological

point of view, which considers the Deity as merciful and benevolent, it is idolatry to maintain that the Almighty insisted upon His son's sacrificial suffering on the cross. Did not the Almighty expressly forbid Abraham from sacrificing his son Isaac (Gen. XXII : 1-12)? Did He not expressly curse and ordain the death punishment for him who would offer his child to the Moloch worship (Lev. XX : 1-5)? Would it be reasonable, then, to assume that the Almighty reversed Himself and suddenly became so merciless as to insist upon the sacrificing of His son unto Him, even as was done by the wild pagans to the idol Moloch? A purely idolatrous conception!

Q. In your opinion, Dr. Ha-Levi, where might the followers of the Nazarene have attained this strange conception? A. Permit me, sir, to examine this Christian dogma more closely. The theory evolved by the Gospel writers and their followers is that the Nazarene, as God's only begotten son, was born to suffer torture and crucifixion for the purpose of remitting sins; that is, that the Nazarene as the first-born son of God was sacrificed by Him to appease His own wrath against the sinners of the earth.

It would be extremely difficult for a Jew to understand why the Almighty would find it advisable or necessary to stage a performance in which an innocent virgin must bear His son in a manger, a son who was to suffer poverty and want, to be brought up as an unlearned youth, to be shunned and persecuted, and finally to be crucified by barbaric pagans. Certainly it would have been simpler for the Omnipotent to send His celestial son out of the clouds of heaven, and by his self-evident majesty to cause the whole world to repent and become children of God.

The concept adopted by the early Christians had nothing whatever in common with the theology of the Jews, and the Jews could not have been expected to accept it. It did, however, have much in common with many of the primitive paganistic religions of the time, and it is my firm conviction that the Christian theology was borrowed from many such pagan sources.

It was, for example, a pagan practice to sacrifice first-born sons as a way of appeasing an angered deity. What is new about the Christian theology, however, is the concept that the Deity Himself sacrificed His own son to appease Himself, which is hardly, in my opinion, an improvement over the primitive barbarous conceptions.

That the practice of son-sacrifice was prevalent among the nations of antiquity, is attested to in the Bible. When Mesha the king of Moab (in the ninth century B. C. E.) was hard pressed by the Jewish warriors who penetrated deep into his land, "he took his oldest son that should have reigned in his stead, and offered him for a burnt-offering upon the wall" (II Kings iii : 27). It was the belief of the heathen Moabite king that by sacrificing his first-born son he would propitiate his god Chemosh and so avert defeat at the hands of the Jewish king and his confederates.

The prophet Micah (circa 710 B. C. E.) says (Micah VI : 6-7): "Wherewith shall I come before the Lord? ... Will the Lord be pleased with thousands of rams or with ten thousands rivers of oil? *Shall I give my first-born for my transgression, the fruit of my body for the sin of my soul?*"

The Carthaginians sacrificed several hundred of their youths to propitiate their gods during their war against the Romans.

Even among the Hebrews the first-born were considered from time immemorial as holy, belonging to their God (Ex. XIII : 1-2, 11-16; XXII : 28-29; XXXIV : 19-20; Num. XVIII : 15-18; Deut. XV : 19-23). Thus the Nazarene was presented to the lord in the Temple at Jerusalem because he was the first-born (Luke II : 22-23). Later on, the first-born sons were released of their duties to the sanctuary and were replaced and redeemed by the Levites to perform their duty to the God of Israel (Num. III : 11-13). Not only the first-born of men, but also of cattle belonged to God: the fit ones had to be given to the priest and the unfit ones to be redeemed for fit ones (Ex. XIII : 12-15); while the first-born of men had to be redeemed from the priest for five silver

shekels (Num. III : 44-51), a custom which prevails among the Jews to this very day.

Q. To your knowledge, Dr. Ha-Levi, was the paschal lamb brought as a propitiatory atonement? A. The opinion of modern critics is that in pre-Mosaic times, a lamb had been sacrificed in the nature of an atonement on the occasion of the Spring festival. However, the Gospel writers like all Biblical students of the time, always abided by the written word of the Bible, and there is no trace to be found there that the paschal lamb bore such a character.

Q. Are there any sacrifices mentioned in the Mosaic Law that were sacrificed as a propitiatory atonement? A. Yes. There were sin-offerings sacrificed to atone for the sins of individuals and also for sins committed by congregations (Lev. IV-V). There was also an offering to atone for the sins of the whole nation, once a year on the Day of Atonement. On this day, the high priest set aside two goats, and set them before the Lord at the door of the Tabernacle. He cast lots upon the two goats: one lot for the Lord, and the other lot for Azazel. The goat on which the lot fell "for the Lord," was offered as a sin-offering, and the goat on which fell the lot "for Azazel," was brought alive to the Temple, and the high priest laid his hands on its head and confessed over him all the sins of the children of Israel, and then sent away the goat with a man appointed for this purpose, into the wilderness, where it was set free. This is known to us as the "scapegoat." (Lev. XVI : 7-10, 21-22).

Q. Can you, Dr. Ha-Levi, explain why the Gospel writers saw fit to select the paschal lamb as a symbol of a vicarious atonement, instead of the scapegoat that was offered on the Day of Atonement?

Mr. Christiani: You Honor, I object to the question of Counsel, on the ground that it is incompetent, irrelevant, and immaterial, and on the further ground that my learned opponent wishes to insinuate that our lord Jesus Christ might have been offered as a scapegoat. He is attempting to ridicule our sacred dogma of redemption.

Mr. Ben Yehudah: Your Honor it is not my intention

to insinuate anything at all. Nor do I desire to ridicule any dogma of the Church. In fact, Your Honor, this idea of connecting the Nazarene with the scapegoat did not originate with me at all. Christian commentators, in attempting to show the world that Moses had actually mentioned the Nazarene in the Pentateuch, as the Nazarene had claimed according to Luke (XXIV : 27), expressly refer to the passage of the Pentateuch dealing with the scapegoat (Farrar, "Luke" XXIV : 27, and others).¹⁴ Is it not, therefore, proper to ask the expert witness for his opinion why the Nazarene was offered as the paschal lamb which bore no atonement character, and not as the scapegoat which was offered for the express purpose of forgiving sins?

The Court: Objection overruled. Let Dr. Ha-Levi answer the question put to him by Counsel for the Defense.

(Direct examination resumed by Mr. Ben Yehudah:) Q. Please answer my question. A. It is an interesting question, sir, but I cannot answer it. I presume that the Apostles may have been unfamiliar with the Mosaic passage.

Q. You have heard the fourth witness, St. John, make the following introductory remark before telling how the Nazarene had washed the feet of the disciples (John XIII : 3): "Jesus knowing that the Father had given all things into his hands." Can this statement be sustained on the principles of Jewish religion? A. Certainly not. Such a declaration would be pure idolatry in the eyes of the Jews. To say that God transferred His control of the world to another—whether man or God—is sheer paganism. Such a concept would deny that God is One, Omnipotent, and Absolute.

Q. You have heard the fourth witness testify further (John XIII : 5) that the Nazarene washed the feet of his disciples after supper. Was this deed of the Nazarene in compliance with any prevailing law or custom? A. No, sir; no such law or custom existed among the Jews.

It is told in the Pentateuch (Gen. XVIII : 2-5) that three angels, disguised as human beings, visited Abraham, and that Abraham gave them water with which to wash their feet before eating. According to this Biblical narration, then,

it is evident that the custom among the ancients was to wash off the dust from one's feet, gathered from walking on foot on dirt-roads, before partaking of meals.

Consequently, if the Nazarene had wished to abide by Biblical custom, he should have washed the feet of his disciples before supper and not after. Even symbolic performances ought, as a rule, to have some relation to tradition and common sense.¹⁵

Q. Dr. Ha-Levi, you have heard the first three witnesses for the Prosecution testify (Matthew XXVI : 30; Mark XIV : 26; Luke XXII : 39) that immediately after they had sung an hymn, the Nazarene left Jerusalem and went with his disciples to the Mount of Olives. Would it have been possible for the Nazarene to leave the city under these circumstances? A. No, sir. To leave Jerusalem during the night when the paschal lamb was eaten would have been an express violation of the Law of God which ordains (Deut. XVI : 7): "And thou shalt roast it and eat it in the place which the lord thy God shall choose; and then shalt thou turn in the morning, and go unto thy tents." There can be no doubt that the Mount of Olives which lay east of the City, separated from the Temple mountain by the Kidron Valley, was not a part of the city, and therefore the Nazarene could not have betaken himself there without violating the Law of God.

Permit me to note in this connection the opinion of a Christian commentator. Salmond ("Mark" XIV : 26) remarks: "It was provided by a regulation founded on Ex. XII : 22 [which by the way is untrue, because that regulation applied only to that Passover which was to be observed in Egypt, and not to those to be observed thereafter; but it is expressly so ordained in Deut. XVI : 7], that the night after the paschal meal should be spent in the city [nothing like that is contained in the Exodus text; surprising how careless Christian theologians are in their statements with regard to plain Biblical texts]. But that seems to have fallen into abeyance or to have been partially observed."

So this author would accuse not only the Nazarene but

the whole nation of Israel of having disregarded an express Biblical prohibition. But this very author contends (*l. c.* 22): "It is most reasonable, however, to suppose that Jesus would not interfere with the usual ceremonial of the Passover feast, but would follow it out carefully in all its essential parts." Why a Jew like the Nazarene should see fit to disregard an express Biblical provision and abide strictly by the "usual ceremonials," is difficult to explain.

Q. Now, Dr. Ha-Levi, you have heard St. Matthew testify in this Court (Matthew XXVI : 63) that the high priest Caiaphas asked the Nazarene: "Tell us whether thou be the Christ the Son of God?" In your opinion, would it be possible for the Jewish high priest to ask such a question of the Nazarene? A. No, sir; it would be impossible.

From a scientific point of view, the high priest could not have used the terms "the Christ" and "the Son of God" to denote the Messiah, in the sense understood by Christian theologians that the term "Christ" applied to the hoped-for Messiah and the term "Son of God" to Divine Sonship. It is absolutely untenable to contend that Caiaphas would or could have used the terms with such an application, because these conceptions were of later origin.

The word "Messiah," in Hebrew "Moshiah" and in Greek "Christos," frequently occurs in the Old Testament where it is applied to kings anointed of God (I Sam. xxiv : 7, 11; xxvi : 9, 11, 16, 23, a. fr.), but as a title referring to the coming Messiah, the hope of the Jewish nation, it does not occur anywhere in Biblical literature. About the close of the first century B. C. E., we first meet with the expression "Messiah" applying to the redeemer of Israel (Book of Enoch XLVIII : 10; LII : 4), and thereafter frequently in the uncanonical literature. It was at this period in Jewish literature that the hoped-for deliverer of the Jewish nation took the definite form of an expected Messiah in the Davidic lineage, who was to bring salvation to his people.

The real salvation that the Messiah was supposed to bring, had never been crystallized among the Jews. There had been diverse and varied opinions. Some said that he

would inaugurate an era of perfect peace, justice, and happiness in the whole world; others thought that he would abolish death from the world; but the most common Messianic dogma was that of a national, political, and religious deliverer, who would appear as a descendant of the dynasty of King David, who would restore Israel to its native land and rebuild the Temple at Jerusalem, the Holy City, no longer to be destroyed by human hands; and from there the Messiah would teach wisdom and understanding to all peoples, and cause them to serve the one true God (Jeremiah XXIII : 5-6; Luke XXIV : 21; Acts I : 6).

That the Messiah would be a scion of the house of David, had been the general belief of all Jews from ancient times. In fact, in Talmudic times this idea was already so deep-rooted that the Messiah became synonymous with the expression "ben David," the son of David (Babli, Sanhedrin 97a, a. fr.). This widespread belief, no doubt explains the genealogy given by Matthew (I : 1-16), according to which Joseph, Mary's husband, was a direct descendant of David. But if we are to accept the Prosecution's contention that Jesus was the "son of God," Joseph could not have been his father, for he could not have been the "son of God" and the son of Joseph at one and the same time. The fact is that, according to the testimony of the first witness for the Prosecution (Matthew I : 18), the Nazarene was born to Mary while she was yet a virgin. Consequently, the Nazarene had no claim whatever to the throne of David, and his tacit acceptance of the title, "son of David" (Matthew IX: 27; XV: 22; XX : 30, 31; XXI : 9; Mark X : 47, 48; Luke XVIII : 38, 39), was a usurpation, for he could legally assume no such title.¹⁶

Now, the Christian theologians, in their anxiety to establish their dogma that the Nazarene was the metaphysical son of God, contend that wherever the term "son of God" appears in the New Testament, it implies Divine Sonship, and equality with God. It is therefore the contention of the Prosecution that when the high priest Caiaphas was reported to have asked the Nazarene, "Art thou the Christ, the Son of God," the high priest wanted to know whether the Nazarene

was the son of God in a metaphysical sense.

Even modern authors and theologians to this very day contend that the term "son of God" signifies divine origin and equality with God. Chandler ("Trial of Jesus," Vol. I, p. 329) says: "Even to-day there is no dispute between Jews and Christians in regard to this construction. Jews charge that Jesus made such a claim and Christians agree with them. They are compelled to do so, indeed, or else abjure the fundamental dogma of their faith—the doctrine of the Trinity."¹⁷

While it is true that this construction of the term "son of God" prevails among Christians to this very day, it did not have such a connotation during the lifetime of the Nazarene.

It must be borne in mind that the Jews lived in a theocratic commonwealth, and therefore expressions like "Messiah" and "son of God" could have been used by the Jews in a theocratic sense only. The term "son of God," like the title "Messiah," was applied in the Old Testament and the uncanonical literature to the Messianic King in a purely theocratic and official capacity, denoting anyone whose office symbolically represents God among men; the term simply implied a kingdom in which God is the real Ruler, and the Messianic King represents God.

Christian authors, who are forced to interpret the term "son of God" in consonance with the Christian dogma, are likewise forced to admit that the high priest Caiaphas could not have used the terms "the Christ" and "the Son of God" as though they were interdependent or synonymous. Plummer ("Matthew," p. 377) wonders: "But it is remarkable that he (Caiaphas) joins together 'the Messiah' with 'the Son of God,' as if they were synonymous. This was not the universal view of the Messiah among the Jews."

McNeile ("Matthew," XXVI : 63) remarks: "The high priest was understood by Matthew, Mark to be identifying Messiahship with Divine Sonship. It is open to question whether this was done by Jews as early as the time of Jesus." But we must add that, according to the Jewish concept of

a monotheistic Deity, this was "never" done by Jews, and not as this author would have it confined to "as early as the time of Jesus." (*See Gould, "Mark," I : 1*).

The fourth witness for the Prosecution testified (*John V : 18*): "Therefore the Jews sought the more to kill him, because he had not only broken the Sabbath, but said also that God was his Father, making himself equal with God." It would have been impossible for the Jews to construe the Nazarene's claim that "God was his Father," as implying the idea of divine origin and equality with God, because such was not the current interpretation of the term "son" and "Father" at the time of the Nazarene. The concept of Divine Sonship springing from the immaculate conception, is nowhere mentioned in the Synoptic Gospels, except in *Luke I : 35*. Perhaps, a heathen gave a paganistic touch to the historic term "son of God."

There can be no doubt, therefore, that if the high priest did ask of the Nazarene at the alleged trial, "art thou the Christ, the Son of God," both terms were used in the current theocratic sense, retaining the common meaning at the time. It is likewise certain that Peter in his confession (*Matthew XVI : 16*) used the expression, "thou art the Christ, the son of the living God," in the theocratic sense only. (*See Gould, "Mark" I : 1*).

Now, it is clear, that wherever in the New Testament the Nazarene is alleged to have ascribed greater power to God (*John V : 30; XIV : 28; Matthew XX : 23*), it indicates that this was written at the time when the terms "Messiah" and "son of God" were used in the theocratic sense; and wherever the Nazarene is spoken of as a metaphysical son and claiming divine sonship as springing from the miraculous conception (*Luke I : 3*) and being equal with God (*John V : 18; a. fr.*), it indicates that it was written at a later date when the metaphysical sonship dogma became prevalent among Christian theologians.

Q. Dr. Ha-Levi, assuming that the Nazarene and his followers did apply the term "son of God," as has been

claimed by Christian theologians, to denote divine sonship,¹⁸ was it possible for the high priest to have asked the Nazarene whether he was "the son of God" in the sense alleged? A. No, sir; it would not have been possible. It is inconceivable that a Jewish high priest, in the presence of a legally constituted court of law, would have dared to utter the name of the "living God" in connection with so blasphemous an expression as the "son of God" as that term is interpreted literally, that is, sonship by reason of the miraculous conception. Klausner ("Yishu ha-Notzri," p. 371) justly remarks: "An expression like that in the mouth of the high priest surpasses all imagination."

Furthermore, no Jewish high priest could or would use the expression "son of God" in the sense implied in the text. The thought that the Spiritual Being, God, would copulate with a woman to give birth to a son, even miraculously, was entirely repugnant to the Jewish conception of the Deity. It would be nothing but idolatry, making the Supreme Being a corporeal deity instead of a purely spiritual one. This expression would have been the very essence of blasphemy.¹⁹

Even during a trial involving the capital offense of blasphemy, accusing witnesses were forbidden to state in open court the exact blasphemous words used by the alleged culprit, in order to avoid the repetition of blasphemous utterances. The witnesses were instructed by the court to use a substitute during the trial, and only at the end of the trial, before rendering a verdict, did the court order all those present to leave the courtroom. The most important witness was then requested to repeat the blasphemous words. The other witnesses were then asked to verify but not to repeat those utterances (Mishnah, Sanhedrin VII : 5).²⁰

Surely, therefore, it is beyond belief that the President of the Sanhedrin would have dared to use the expression "son of God," as stated by the witness.

Q. Dr. Ha-Levi, you have heard St. Peter testify (Mark XIV : 61) that the high priest asked Jesus to tell him, "Art thou the Christ, the son of the Blessed?" Can you explain the real meaning of the term "Blessed," from a Jewish re-

ligious point of view? A. At no time is the term "Blessed" attributed to the Almighty, either in Biblical or Talmudic literature. Certainly it could not have been used in this fashion by the high priest. This apparently was an attribute invented by the writer of the Gospel. Klausner ("Yishu ha-Notzri," p. 371), for instance, says: "'Son of the Blessed' is not a Hebrew expression."

Q. You have heard the third witness, St. Luke, testify in this Court (XXII : 67) that the high priest asked the Nazarene to tell him, "Art thou the Christ?" From a religious point of view does the version of the question as recorded by the third witness differ materially from the one recorded by the first two witnesses, St. Matthew and St. Peter? A. It certainly does. According to the testimony of the other two Synoptists, the President of the Sanhedrin sought to obtain a confession to the charge that the Nazarene considered himself to be a "Christ," not the kind the Jews believed in and expected, a Messiah anointed by God, who would free them from the Roman yoke and give them and the world ever-lasting peace (Jeremiah XXIII : 5-6; Luke XXIV : 21; Acts I : 6), but a "Christ" who claimed to be "the son of God," an actual descendant of the Almighty.

According to St. Luke, on the other hand, the Jewish jurists merely wished the Nazarene to admit that he was the "Christ," not "the son of God." There is a vast difference between these assertions by the witnesses. To admit that one is literally the "son of God" would be an admission of idolatry, of belief in a corporeal God neither Eternal nor Absolute.²¹ If, however, one should claim to be the "Christ," one appointed by God to bring salvation to Israel, he would not be guilty of idolatry, although he might under certain conditions be charged with the capital offense of false prophecy.²²

Q. Dr. Ha-Levi, you have heard two Synoptic witnesses testify (Matthew XXVI : 64; Mark XIV : 62) that the Nazarene, in reply to the question of the high priest, said: "Hereafter shall ye see the son of man sitting on the right hand of power." From the point of view of the Jewish religion, could such a statement have been made by the Nazarene?

A. No, sir. The term "son of man" is used throughout the Scriptures as a term of humiliation when comparing human beings with celestial beings, as in Ezekiel II : 1, and as an ennobling term only when the comparison is made with creatures lower than human beings, as in Daniel VII.²³

The choice of the expression, "son of man," in this particular instance is a very unhappy one. The Nazarene claimed that he would soon attain the height of a celestial being, ranking highest in the heavens: he was to become the Almighty's vicegerent, closer to Him than any of the heavenly angels, and was to occupy the throne on the right hand of Power. How was a "son of man," a mere mortal of flesh and blood, to rise to equality with God? No celestial being was ever encased in a terrestrial body, and no terrestrial body can be immortal. Consequently, "the son of God" would hardly have committed the error of calling himself "son of man."

In the second place, the Nazarene could not and would not have used the expression "power," in Hebrew *geburah*, as applicable to the Almighty. This term was mostly used in the Amoraic period, beginning with the third century c. e., as one of the Almighty's attributes (Shabbat 88b; Megilah 31b; Baba Mezia 58b; Makkot 24a; Horayot 8a; Yebamot 105b; a. fr.), probably adopted from the Hebrew adjective *gibbor*, "mighty," applied to God in the Scripture (Deut. X : 17). This term was not used in the Tannaitic period, or in the time of the Nazarene.

Dalman ("Die Worte Jesu") claims that "power" represents a current periphrasis for "God." This contention cannot be sustained, because there is no evidence that it was used at such an early period among the Jews.

Q. Dr. Ha-Levi, you have heard the third witness testify (Luke XXII : 69) that the Nazarene replied to the President of the Sanhedrin: "... sit on the right hand of the power of God." From a religious point of view, what meaning can be attached to such an expression by the Nazarene? A. This expression could have had absolutely no meaning to a Jew who believed in the doctrine of monotheism. "The whole earth is full of His glory," said the Prophet (Isaiah VI : 3)

long before the advent of the Nazarene. The power of the Almighty is not confined to one particular spot, whether it be in heaven or on earth, but is manifested throughout the universe.

Consequently, when St. Luke quoted the Nazarene as saying that he would be sitting on the right hand of God's power, St. Luke was merely echoing his own pagan heritage and revealing his own ignorance of the monotheism of the Jews of his day, but whether he realized it or not, he was not attributing any divine power whatsoever to the Nazarene.

While St. Matthew and St. Peter quote Jesus as clearly claiming divine powers, the third witness, St. Luke, contradicts them both by a senseless quotation which has no legal, or logical, or theological significance.

Q. Now, Dr. Ha-Levi, you have heard the first two witnesses testify (Matthew XXVI : 65; Mark XIV : 63) that the high priest, upon hearing the utterance made by the Nazarene, rent his clothes. Can this account be sustained on the principles of the Jewish religion? A. No, sir, it cannot. The tearing of garments on a Festival constituted a violation of the Law of God. It is inconceivable that the high priest, in the presence of the members of the Sanhedrin, would have dared to commit an open violation of the Law which was the common knowledge of all the people, namely, that no work could be performed on a Festival save such that was essential for the maintenance of every man, that is, the preparation of food (Ex. XII : 16; Mishnah, Betzah V : 2; Maimonides, *Hilkot Yom Tob* I : 1). One must necessarily arrive at one of these two conclusions: either that those two witnesses for the Prosecution forgot their own statements that this trial before the Sanhedrin had taken place on the first day of the Feast of Passover; or that they simply were not aware of the existence of such a rule of law although it then was, and now still is, of common knowledge.

Q. All the witnesses for the Prosecution testified in this Court (Matthew XXVI : 74; Mark XIV : 72; Luke XXII : 60; John XVIII : 27) that, after Peter made his third

denial of the Nazarene, the cock crew. Would it be possible for a cock to crow in the precincts of the palace of the high priest at Jerusalem? A. No, sir, not according to the ordinances of the Jewish religion. The law is clearly laid down in the Talmud (Mishnah, Baba Kamma VII : 7): "They may not rear fowls in Jerusalem because of the hallowed things." They feared that the birds, while scratching in the dung, might pick out a lentil's bulk of a dead creeping thing, thus bringing uncleanness to the houses. Therefore the story of the crowing of the cock is impossible to accept.²⁴

Q. In your opinion, Dr. Ha-Levi, how did the writer of this incident come to mention an actual cock-crowing? A. In Talmudic literature (Mishnah, Yoma I : 8; a. fr.) the term cock-crowing is used as a note of time. The account of the crowing of the cock was apparently written by one who was unfamiliar with Talmudic expressions, and ignorantly interpreted the Talmudic expression that they actually depended in indicating time upon the crowing of the cock. Westcott ("John" XVIII : 27) admits that the crowing of the cock "rather denotes time than the incident."

Q. Now, Dr. Ha-Levi, you have heard the fourth witness for the Prosecution testify (John XVIII : 28) that the Jewish dignitaries who had brought the Nazarene to the Roman Procurator, Lucius Pontius Pilate, did not themselves enter the Praetorium, or the hall of judgment, lest they should be defiled; but that they might eat the passover. According to this witness, then, the trial of the Nazarene and the crucifixion took place on the fourteenth day of the month of Nisan, the day before the Feast of Passover. But according to the three Synoptic witnesses, it took place on the fifteenth day of Nisan, that is, on the first day of Passover. Can you cast any light upon this controversy from a religious point of view? A. This contradiction between the three Synoptists and John has long been a bone of contention among Church representatives, commentators, and theologians. It is difficult for them to reconcile two contradictory accounts, both of which are believed to have been divinely inspired.

It must be borne in mind, that the disagreement concerns

not only the day of the month on which these events are supposed to have taken place. The disagreement concerns a matter of three years. If we accept the view of the three Synoptists, the trial and crucifixion occurred on the first day of Passover in the year 30 C. E. Consequently the ministry of the Nazarene lasted one year only. If we accept the view of the fourth witness, St. John, then the trial and crucifixion took place in the year 33 C. E., and the Nazarene's ministry lasted three years.

Q. Please explain to the Court and the ladies and gentlemen of the jury how you arrive at these conclusions. A. With pleasure, sir. That the trials of Jesus and his crucifixion took place on a Friday, all the witnesses agree, because they all agree that it was on preparation day (Matthew XXVII : 62; Mark XV : 42; Luke XXIII : 54; John XIX : 31). All witnesses also agree that on Sunday, the third day after the crucifixion, Jesus appeared to Mary Magdalene and to his disciples (Matthew XXVIII : 1; Mark XVI : 2; Luke XXIV : 1; John XX : 1). This further proves that the crucifixion took place on a Friday.

Now, Husband ("Prosecution of Jesus," p. 46) states that several astronomers, among them Schram, Ginzell, and Westberg, have accurately calculated the day of the month, the day of the week, and the hour of the day the moon became full in the months of Nisan, during the years in which Jesus might have been crucified. They calculated that from the year 27 C. E. to the year 33 C. E., the full moon occurred on the following days of the month, and the days of the week, and the hours of the days:

C. E.	27	Wednesday	April	9	6.25 P. M.
C. E.	28	Monday	March	29	5.42 A. M.
C. E.	29	Sunday	April	17	5.13 A. M.
C. E.	30	Thursday	April	6	10.30 P. M.
C. E.	31	Tuesday	March	27	1.37 P. M.
C. E.	32	Monday	April	14	11.28 A. M.
C. E.	33	Friday	April	3	5.13 P. M.

Since the Feast of Passover was, and still is, celebrated among the Jews on the evening when the full moon occurs or on the evening immediately following the full moon next

after the vernal equinox, the Passover was celebrated on Friday evening, if we accept John's date, April 3, 33 C. E. And if we accept the testimony of the three Synoptists that the Passover was celebrated on Thursday evening, then we are forced to conclude that it was three years before the year set by John, namely, on April 6, 30 C. E.

There is another problem that came to vex Christian commentators and authors. If we accept John's testimony, that the trial by the Sanhedrists took place on the thirteenth day of Nisan, that is the night before Passover-eve, then the Nazarene and his disciples sacrificed the paschal lamb and observed the Passover-eve rites a day before the time prescribed by Law, for the Law of Moses expressly provided that the paschal lamb be sacrificed on the fourteenth day of Nisan toward evening (Ex. XII : 6; Lev. XXIII : 5; Num. XXVIII : 16). The commentators and apologists have, of course, been at a loss to overcome the objection raised by many scholars that the priests at the Temple would have refused to offer the paschal lamb a day ahead of the prescribed time.

Q. To your knowledge, Dr. Ha-Levi, have these problems ever been solved? A. An attempt has been made by some authors to overcome these difficulties, but, in my opinion, without success.

Chwolson ("Das letzte Passamahl Christi und der Tag Seines Todes," p. 31) and Klausner ("Yishu ha-Notzri," pp. 351, 353) justify the testimony given by St. John, that the Nazarene together with his disciples observed the Passover-eve rites and sacrificed the paschal lamb on the evening of the thirteenth day of Nisan instead of the fourteenth day, on the ground that the first day of the Feast of Passover that year occurred on the Sabbath (John XIX : 31). They maintain that before the time of Hillel the Elder (*circa* 110 B. C. E.—10 C. E.), the Jews were wont to sacrifice the paschal lamb, in such an event, a day earlier. In support of their contention, they cite Talmudic authority (Tosefta, Pesahim IV : 1-2; also quoted in Babli, Pesahim 66a).²⁵

This explanation, however, cannot be sustained on the following grounds:

(1). John at no time testified that the Nazarene and his disciples had made any preparations for celebrating the Passover, as did the other three witnesses (Matthew XXVI : 17-19; Mark XIV : 12-16; Luke XXII : 7-13). On the contrary, this witness expressly stated (John XIII : 29) that immediately before the arrest and the consequent trial by the Sanhedrin, provisions for the Passover had not yet been purchased.

Neither did this witness at any time make an attempt to describe the Passover meal and rites as did the three Synoptic witnesses (Matthew XXVI : 21-29; Mark XIV : 18-25; Luke XXII : 14-26). On the contrary, this witness averred (John XIII : 1-2) that it was "before the feast of Passover," and "supper being ended," that is, after an ordinary week-day supper. It is difficult to explain why Chwolson and Klausner went so far out of their way to evolve their ingenious but invalid theory, especially when John himself nowhere supports them but, on the contrary, expressly contradicts them by stating that this was an ordinary week-day supper before Passover.

John further disproved this theory when he testified (John XVIII : 28) that the chief priests and the other Jewish dignitaries who were alleged to have led the Nazarene from the palace of the high priest Caiaphas to the judgment hall of the Roman Procurator, did not enter the judgment hall of the Romans, "lest they become defiled, but that they might eat the passover." Do we need any further proof that, according to John, at the time the alleged trial before Pontius Pilate took place, the Jewish chief priests and the other Jewish representatives had not as yet eaten the paschal lamb?

(2). Furthermore, as stated in the Johannine Gospel (John XVIII : 28), the chief priests themselves and the other Jewish dignitaries slaughtered their paschal lambs and ate them on Friday, the fourteenth of Nisan. If, therefore, the disciples had brought their master's lamb to the Temple on the thirteenth, the priests would not have accepted it as an offering. To do so would have been a sacrilege, an open violation of the express provisions of the Law of Moses that the

paschal lamb must be sacrificed on the fourteenth day of Nisan toward evening (Ex. XII : 6; Lev. XXIII : 5; Num. XXVIII : 16). Even a Christian author (Stapfer, "Palestine in the Time of Christ," note 3 to p. 442) admits that "the Apostles could not have got the Passover lamb slain before the appointed day."

(3). There is further proof that the paschal lamb could not, under any circumstances have been eaten on the evening of the thirteenth day of Nisan instead of the fourteenth day. It is expressly provided by the Law of Moses (Ex. XII : 8; Num. IX : 11) that the paschal lamb "must be eaten with unleavened bread and bitter herbs." It is explicitly forbidden to eat leavened bread with it (Deut. XVI : 3). Certainly no one, not even the Jewish appeasers and apologists, would dare to contend that if the first day of Passover occurs on a Sabbath, the unleavened bread and the bitter herbs, too, must be eaten on the eve of the fourteenth of Nisan instead of the eve of the fifteenth.

(4). The Tosefta, quoted by these authors to support their contention, was misquoted and misinterpreted. The facts were that the first day of Passover that year occurred on a Sunday, and not on the Sabbath, as stated by Chwolson and Klausner. Furthermore, the question that arose at that time at the School of the B'nai Bether, when the fourteenth of the month of Nisan occurred on the Sabbath, was not whether or not in such an event the paschal lamb should be sacrificed on the fourteenth or on the thirteenth, as explained by Chwolson and Klausner. That it must be sacrificed and eaten on the evening of the fourteenth, could not be questioned, because there is an express command to that effect in the Mosaic Law (Ex. XII : 6, a. fr.), and no Jewish authority would dare to override that. The problem presented there was merely this: If the first day of the Passover occurs on a Sunday, should the paschal lamb be then slaughtered and offered in the afternoon of the fourteenth of Nisan, although it is the Sabbath when no work may be performed, because this rite of sacrificing the paschal lamb takes preference over and suspends the Sabbath law, or

should it be slaughtered after sunset on the fourteenth, that is on the eve of the fifteenth, because this rite does not have preference over the Sabbath?

Hillel the Elder then stated that according to the tradition which he had received from his teachers Sh'maya and Abtalyon, the heads of the Sanhedrin, the paschal lamb might be offered, in such an event, too, as prescribed by the Mosaic Law in the afternoon, and need not be postponed until after sunset, because this offering has preference over the Sabbath. But at no time and at no place is it stated that the paschal lamb was under any circumstances offered on the thirteenth of Nisan.

Q. Now, Dr. Ha-Levi, you have heard St. John testify in this Court (John XVIII : 28) that the Jewish leaders "themselves went not into the judgment hall, lest they should be defiled." To your knowledge, is there, or has there ever been a law among the Jews, that a Jew becomes unclean upon entering a judgment hall of the heathens? A. No, sir, there has never been any such law among the Jews. It is difficult to ascertain where this witness got the notion that a Jew upon entering Pilate's judgment hall would be defiled. There is no law, either in the Scriptures or in the Talmud, to the effect that a person upon entering a public hall occupied by heathens would become defiled. In my opinion, this was a mere invention on the part of the witness, because it cannot be supported by any authority.

A rule of law is laid down in the Talmud (Mishnah, Oholoth XVIII : 7): "The dwelling places of the pagans are unclean." This rule of law, however, has no application whatever to the present case. In the first place, the reason given for this rule of law is not that one becomes defiled in the company of pagans, but that because the pagans throw abortions down their drains, and these abortions, as dead bodies, cause defilement in an enclosure. Therefore, a rule of law is laid down in the said Mishnah that such dwellings are considered to be unclean only when the pagans have lived there for at least forty days.

Secondly, the judgment hall was a temporary pagan's

dwelling, for it belonged to Jewish owners, and was only temporarily occupied by Pilate during his stay at Jerusalem for the Festival season, and the law is laid down again (Mishnah, Oholoth XVIII : 10) that the law concerning the dwelling places of pagans does not apply to dwellings of a temporary nature only.

Another rule of law is laid down in the Talmud (Mishnah, Abodah Zarah III : 6; Maimonides, *Hilkot Abot ha-Tumot*, VI : 2) that idols render one unclean when one comes in contact with them. It is further held (Maimonides, *l. c.* 6) that a Jew becomes unclean by entering the enclosure where idols are to be found. But this rule of law has no application to the case under discussion, because, although the Romans placed the Praetorium under the protection of the tutelary deities, Pilate would not have dared to place idols in the Holy City where he came for a brief stay.

Permit me to quote a Christian author in this connection. Westcott ("John" XXII : 28) states: "The Praetorium was placed under the protection of the tutelary deities, but such a dedication is out of the question. Pilate had learnt by bitter experience with what fierceness the Jews resented every semblance of a violation of their religious feelings (Josephus *Bel. Jud.* II, ix, 2)."

Furthermore, according to Jewish law, "Idols convey uncleanness as though they were a creeping thing" (Mishnah, Abodah Zarah III : 6; Maimonides, *Hilkot Abot ha-Tumot* VI : 2ff.). If, therefore, one becomes unclean by touching an idol, one is governed by the same law as the person who touches a creeping thing. In the latter case, he is considered a *tebul yom*, that is, he remains in an unclean state only till sundown (Lev. XXII : 5-7). In the former case, too, the unclean person may take a bath of immersion at sundown, and then in the evening partake of the paschal lamb (Maimonides, *Hilkot Korban Pesah*, VI : 1).

Most Christian commentators (Bernard, "John" XVIII : 28; Plummer, "John" XVIII : 28; Westcott, "John" XVIII : 28; Hillard, in "Dictionary of the Bible," art. "Pilate"; and others) even go to the extent of telling us that the Jews

would be rendered unclean for the feast by entering a building defiled by leaven. It is to be wondered where these authors had even seen or heard of such a Jewish law, for no such law has ever existed.

Husband ("The Prosecution of Jesus," page 38) says: "The ceremonial purification involved in the putting away of leaven during the twenty-four hours before the evening of the Passover would be destroyed if they entered the house of a pagan (or possibly if they were in a house which contained leaven), and they would not be allowed to eat the passover with the rest of the nation. Such defilement could not occur unless the time specified for the purification had already begun."

It is a pity that this sincere, careful, and learned author was misinformed regarding the Jewish law. The putting away of leaven on the eve of the thirteenth day of Nisan is not a "ceremonial purification," but is simply in compliance with the Mosaic injunction (Ex. XII : 19) that, "Seven days there shall be no leaven found in your houses." And again (Ex. XIII : 6-7; Deut. XVI : 4): "Unleavened bread shall be eaten throughout the seven days; and there shall no leavened bread be seen with thee, neither shall there be leaven seen with thee, in all thy borders." There is no trace anywhere either in the Scripture or in the Talmud that leaven can render a person unclean, or that there was any sort of purification period before the Passover.

Plummer ("John" XI : 55) stated the Jewish ritual law correctly when he wrote: "No purifications are ordered by the Law as a preparation for the Passover. But to be ceremonially unclean was to be excluded (XVIII : 28); hence it was customary for those who were so to go up to Jerusalem in good time so as to be declared clean before the Feast began."

This author erroneously quoted the law regarding uncleanliness from John XVIII : 28, whereas in reality it is contained in Numbers IX : 10 ff.

Q. Dr. Ha-Levi, you have heard the witnesses testify (Matthew XXVII : 41; Mark XV : 31; Luke XXIII : 35)

that the chief priests and the scribes were at Golgotha when the Nazarene was alleged to have been crucified, and they mocked him. Is this account in accordance with the principles of the Jewish religion? A. Absolutely not. In the first place, no priest would have defiled himself by coming to Golgotha, which, according to the testimony of the witnesses (Matthew XXVII : 33; Mark XV : 22), was strewn with skulls. Priests, according to the Mosaic Law (Lev. XXI : 1), were not permitted to defile themselves by coming in contact with a dead body or by visiting a burial place. If they had visited Golgotha and thus violated the Law, they would have remained in a state of uncleanness for a period of seven days (Num. XIX : 16), and they would not have been permitted to enter the Temple on that day and offer the sacrifices prescribed by the Law of Moses for the Passover Festival (Num. XXVIII : 18-22).

In the second place, no student of Judaism could possibly give credence to the statement made by these witnesses, that the representatives of the highest Jewish tribunal and the chief priests of the Temple of God purposely remained at the scene of execution, in the late hours of the afternoon on the first day of the solemn Jewish Festival of Passover, to deride and mock an unfortunate victim on the cross. Such a statement is absolutely preposterous.

That a Jew must grieve for the suffering of the sinner, has been repeated time and again by the Jewish authorities. Rabbi Meir wrote (Mishnah, Sanhedrin VI : 5) that even the Almighty is, as it were, grieved over the loss of the sinner. The Talmudic law states (Semahot II : 9; Sanhedrin 63a; Moed Katan 14b; Maimonides, *Sanhedrin* XIII : 4) that the judges who condemn a man to capital punishment must abstain from tasting food the whole of that day on which the execution is carried out.

Yet, these witnesses for the Prosecution, as well as all early and most modern Christians, wish us to believe that these judges were elated by the horrible execution of a fellow-Jew, abandoning their sacred ceremonies at the Temple on Passover. Such an occurrence is inconceivable.

In the third place, the taunt, "If he be the king of Israel, let him come down from the cross now," attributed by the witnesses to the chief priests and scribes, is patently nonsensical. Are we to believe these priests so ignorant that they could not distinguish between a "king" and a worker of miracles? Had there not been many kings of Israel, all of them mortals and not supernatural beings? A claim to the throne of Israel would hardly have given rise to so ridiculous a taunt as this.²⁶

Q. You have heard the first witness, St. Matthew, testify (Matthew XXVII : 43) that the chief priests and scribes, while mocking the Nazarene, said: "He trusted in God; let Him deliver him now, if He will have him." In your opinion, Dr. Ha-Levi, is it possible for the chief priests and the scribes to have used such a form of mockery? A. Absolutely not. Matthew alone among the witnesses mentioned any such statement. There can be no doubt that this is an expression of the hostility of the early Christians toward the Jews. It is an obvious effort made by the writer of this Gospel to invent an account which would conform with the text of Chapter XXII of the Psalms. This rebuke and mockery is contained in verse 9 of this much-spoken-of Chapter where the exact expression is found.

By imputing such a statement to the Jewish religious leaders, the writer of the Matthean Gospel has reached the summit of ignorance of Jewish religious tenets and beliefs. This type of mockery is directly opposed to the fundamental principles of religion which the Jewish teachers endeavored to inculcate in the minds of the people of Israel.

The Jewish leaders of thought, from the anonymous writer of the Book of Job to the time of the Nazarene, were the first teachers in the world to foster the belief among the masses that every Jew must have implicit faith in God under all circumstances, even in time of great distress and suffering. Said Job to his disappointed wife (Job II : 10): "Thou speakest as one of the impious women speaketh. What? shall we receive good at the hand of God, and shall we not receive evil?" And when Job had lost not only all his world-

ly possessions but his sons and daughters as well (Job I : 20), "Then Job arose, and rent his mantle, and shaved his head, and fell down upon the ground, and worshipped; and he said: Naked came I out of my mother's womb, and naked shall I return thither; the Lord gave, and the Lord hath taken away; blessed be the name of the Lord." And the Talmudic scholars conclude (Mishnah, *Berakoth* IX : 5): "Man is bound to praise God for the evil, even as he praises for the good."

Is it conceivable that these scribes, the teachers of such a religion, would have stood before a victim, suffering indescribable torture on the cross, in the agonies of death, and have mocked him with the words: "He trusted in God; let Him deliver him now, if He will have him"? This would have constituted a challenge to the wisdom, the justice, and the power of the Almighty, and a mockery of faith itself. No Jew would have dared to indulge in such blasphemy, but only pagans and atheists.

Q. The fourth witness, St. John, testified in this Court (XIX : 21) that the chief priests and the other Jewish dignitaries were present at the crucifixion which took place on Friday before the Passover, and spoke to Pilate. He further stated (*l. c.* 20) that many Jews read there the superscription put by Pilate above the Nazarene. Was it possible for Jews, especially priests, to tarry there late in the afternoon? A. No, sir. The priests, as well as all Jews, would have been kept very busy attending to their sacrifices, on the day before the Feast of Passover, especially if it occurred on a Friday.

The law is laid down in the Talmud (Mishnah, *Pesahim* V : 1; Maimonides, *Hilkot Korban Pesah* I : 1, 4) that the paschal lamb must be sacrificed on the afternoon of the fourteenth day of the month of Nisan after the *korban tamid*, the daily evening offering, was killed; that is, at half past two o'clock, or, if the eve of the Passover fell on a Friday, at half past one in the afternoon.

Now, if in this instance the priests had to begin sacrificing the paschal lamb after half past one Friday afternoon, how could they have remained at Golgotha until a late hour

in the afternoon? Nor would any Jew have remained there on such a day, because every one was extremely anxious to have his sacrifice attended to, on account of the great numbers of people that had gathered in Jerusalem for this occasion.

Q. You have heard the third witness testify (Luke XXIII : 43) that the Nazarene, in response to the repentant thief's request to be remembered in Jesus' kingdom, replied: "Today thou shalt be with me in paradise." From a religious point of view, was this an appropriate answer? A. No, sir, it was not. "Paradise," as understood in Jewish eschatology at that time, was a term designating some sort of blissful existence in the hereafter, after the body of the human being ceased its natural existence on earth and the soul soared up to Heaven. It expressed the continued existence of the divine soul of every deserving human after death. The Hebrew for "Paradise" is *gan eden*, literally meaning "the garden of Eden," the first abode of Adam and Eve (Gen. II : 8, 15-17).

"Kingdom of heaven," on the other hand, was a term used to denote the Messianic era, when on earth all wickedness would disappear, when all people would believe in One Just and Merciful God, when justice, mercy, and brotherly love would prevail among all mankind, and when strife and hatred would entirely vanish from the face of the earth, as had been predicted by the prophets (Isaiah II : 2-4; XI : 1-9; Micah IV : 1-5). Thus, these two terms differ materially from one another, referring to two distinct and entirely independent existences.

Were we to accept the statement of St. Luke, that Jesus promised the thief "Paradise" instead of "kingdom of heaven," we would be compelled to conclude that Jesus, while on the cross, no longer expected to bring about a "kingdom of heaven" upon this earth or anywhere else, for that matter. He simply believed, as all other believing Jews did, that after his demise his soul would soar up to Heaven and enter Paradise where he would enjoy a blissful existence, and such an existence he promised the thief.²⁷

If, on the other hand, the Nazarene intended to use the two concepts, "Paradise" and "kingdom of heaven," syn-

onymously, we must conclude that the pagan Evangelist was entirely ignorant of Jewish religious ideology and traditions.

Since the New Testament does not add to the idea of "Paradise," it is very likely that this passage in Luke was written at a much later time, when the Christian doctrine of the return of Christ to consummate his kingdom developed the notion of Paradise as the place of departed saints, where they are supposed to "sleep in Jesus," and at the same time to enjoy mystic fellowship with him and with the saints on earth. The alleged answer of the Nazarene, as given by Luke, would then be in consonance with this notion. (See "International Encyclopaedia," art. "Paradise," Vol. XV, p. 329).

Furthermore, it would have been impossible for the Nazarene to designate the happiness of future life by "Paradise," because this term was not in use at that time among the Jews. In the Mishnaic literature, the future happiness is called *helek l'olam habo*, a share in the world to come (Mishnah, Sanhedrin VI : 2; X : 1, 2, 3, 4; a. fr.), but never "Paradise."

Q. The three Synoptic witnesses testified in this Court (Matthew XXVII : 59-60; Mark XV : 46; Luke XXIII : 53) that on the first day of the Feast of Unleavened Bread, Joseph of Arimathaea, a member of the Great Sanhedrin, took down the body of the Nazarene, wrapped it in linen, laid it to rest in his tomb, and rolled a big stone to the door of the sepulchre. Was it permissible for a Jew to do all these things on a Festival? A. Of course not. It is expressly forbidden by the Law of Moses (Ex. XII : 16; Lev. XXIII : 7; Num. XXVIII : 18) to perform any kind of work on the first day of Passover. In the Talmud (Babli, Shabbat 139b; Betzah 6a; Maimonides, *Hilkot Yom Tob* I : 23), the law is expressly laid down that on the first day of a Festival, no Jews are permitted to attend to the burial of the dead.

Consequently, it is impossible that Joseph of Arimathaea, a member of the Sanhedrin, would openly violate the law and bury the Nazarene on the first day of Passover.

Q. You have heard the second witness, St. Peter (Mark XV : 43), and the third witness, St. Luke (XXIII : 51) describe Joseph of Arimathaea as one "who also himself waited

for the kingdom of God.” Does this description of Joseph in any way signify, as has been testified by St. Matthew (XXVII : 57) and St. John (XIX : 38), that he was a disciple or a follower of the Nazarene? A. It certainly does not, sir. It would simply mean that Joseph was one of the many hundreds of thousands of Jews who almost without exception were anxiously awaiting the day when the kingdom of God would be established on earth by the Messiah.

Q. Dr. Ha-Levi, you have heard St. Luke testify (XXIII : 56) that the women who had been watching where the body of Jesus had been laid to rest, “returned, and prepared spices and ointments.” This witness then testified (XXIV : 1) that those women “came to the sepulchre, on the first day of the week, bringing the spices which they had prepared.” Would Jewish women do as this witness has testified? A. No, sir, they would not. In the first place, one is not permitted by the religious law to prepare anything on a Festival save that which is necessary in the preparation of food (Ex. XII : 16; Mishnah, Betzah V : 2; Maimonides, *Hilkot Yom Tob* I : 1). It is not permissible, therefore, to prepare spices or ointments on a Festival. Secondly, it is forbidden to prepare anything on a Festival day, not even food, which is to be used after the Festival (Pesahim 46a; Maimonides, *Hilkot Yom Tob* I : 9).

Q. You have heard the first witness for the Prosecution (Matthew XXVIII : 19) speak of the Holy Ghost as a person, a distinct deity, as one of the three godheads. In support of this Christian dogma, it is pointed out by Christian authors that in the Old Testament the holy spirit is mentioned on several occasions. Can this contention be maintained on the principles of Jewish religion? A. No, sir, it is absolutely untenable to maintain that the Old Testament would recognize the existence of a deity other than the One, the Almighty. In a pure monotheistic concept as the one developed by the Jew, it would have been impossible to inject such a dogma. To acknowledge the existence of a co-partner to the Almighty, would have been a thought diametrically opposed to the most important principle of the Jewish religion, the belief in a spiritual, omnipotent Creator.

The Old Testament never speaks of "the holy spirit." In Isaiah (LXIII : 10, 11) the epithet "holy" is applied to the spirit, but it is still further modified by the possessive pronoun "his." In Psalms LI : 13, the phrase "holy spirit," is further modified by the pronoun "thy." These are the only two passages where the phrase "holy spirit" appears, and in both passages it is used as a mere influence, and not as a person. The phrase "holy spirit" as used in the Old Testament merely denotes positive righteousness and purity, and not as a distinct deity. It is obvious that the dogma of the existence of a Holy Spirit, as a person, is a paganism from a Jewish point of view.

Mr. Ben Yehudah: Thank you, Dr. Ha-Levi. That will be all. The witness is yours.

Cross-Examination by Mr. Christiani:

Q. Dr. Ha-Levi, you testified that, according to the Jewish conception of the Deity, the claim of Jesus that he was literally "the son of God" would be considered highly blasphemous and idolatrous, as it would make God a corporeal Being and not an Absolute spiritual Being. You argued, therefore, that the high priest Caiaphas would not have dared to utter such blasphemous words in open court by asking Jesus whether he was "the Christ, the son of God."

Now, Dr. Ha-Levi, isn't it a fact that in the Pentateuch we find many instances in which God is represented as a personal Being? Isn't He subject to vacillation and to regret (Gen. VI : 6, 7)? He becomes angry and is jealous of other gods. He has many other anthropomorphic attributes too numerous to cite. Does not this conclusively prove that the Israelites conceived of a God that was personal? A. Yes, sir. I am also aware that many Christian authors, to prove that their religious concept of making Jesus equal with God is not idolatrous, cite those many Biblical passages to substantiate their contention. (Chandler, "Trial of Jesus," Vol. II, pp. 348-349; and others).

I may, perhaps, be considered heretical by extremely orthodox Jews and Christians alike when I make the bold

statement that every belief has been the result of a natural process of evolution. This is likewise true of the concept of monotheism among the Jews. It is folly to believe that the idea of God, as conceived by the first Hebrews, was exactly the same as that conceived by the Prophets. This idea, like every other belief, was the outgrowth of a natural development. And this, to my mind, does not in any way diminish the greatness either of the Almighty or of those who first conceived of Him.

There can be no doubt, that the One God, as first understood, was a personal God, but also that He was One and not many: a monotheistic but a personal God. During this period of development, many anthropomorphisms were applied to the Deity. Then the Jews arrived at a "henotheistic" conception, believing that their God was the strongest and the most powerful God among all the nations of the earth. Thus we find that the God of Israel comes into Egypt and "executes judgments against all their gods" (Ex. XII : 12).

In thus accepting the existence of other gods, they nevertheless clung to the belief that the God of Israel was One and not many, while all the pagan tribes and nations believed in many gods as their national deities.

This henotheism lasted for a long time in Israel. We therefore meet with such expressions in the Bible as: "Who is like unto Thee among gods, O Lord" (Ex. XV : 11); "for the lord is a great God, and a great King above all gods" (Ps. XCV : 3); "bow down to Him, all ye gods" (Ps. XCVII : 7).

By slow degrees, the Jews avoided the use of anthropomorphic expressions when speaking of God. Gradually they developed the belief in a God unrestricted in space and time, a true monotheism, that there were no other gods in existence anywhere, and that the God of Israel was the only God in the universe of which He was the Creator. True monotheistic conceptions can be traced in early Jewish literature. In Deuteronomy (IV : 35) we read: "Unto thee it was shown, that thou mightest know that the Lord, He is God; there is none else beside him." Again (Deut. IV : 39): "Know this day, and lay it to thy heart, that the Lord, He is God in

heaven above and upon earth beneath; there is none else." Again (Deut. VI : 4): "Hear, O Israel, the Lord our God, the Lord is one." Again (Deut. X : 14): "Behold, to the Lord thy God belongeth the heaven, and heaven of heavens, the earth, with all that therein is." Then in I Kings (VIII : 60), it is written: "That all the peoples of the earth may know that the Lord, He is God; there is none else."

The earlier Prophets recognized God as the Creator of the universe. Amos said (IV : 13): "For lo, He that formed the mountains, and createth the wind, and declareth unto man what is his thought, that maketh the morning darkness, etc." Isaiah emphasizes the idea more clearly. He says (XXXVII : 16): "O Lord of hosts, the God of Israel, that sittest upon the cherubim, Thou art the God, even Thou alone, of all the kingdoms of the earth; Thou hast made heaven and earth." (See also Is. XL : 12, 28; XLI : 4; XLII : 5; XLV : 12, 18; XLVIII : 12-13).

The monotheistic belief culminated in the prophetic teachings. Isaiah (XLIII : 10) says: "Before Me there was no God formed, neither shall there be after me." Again (Isaiah XLIV : 6): "I am the first and I am the last, and beside Me there is no God." Both Isaiah and Jeremiah declared that God is Holy, a pure spirit whose glory fills the universe. Isaiah says (VI : 3): "Holy, holy, holy, is the Lord of hosts; the whole earth is full of His glory." Jeremiah says (XXIII : 24): "Can any hide in secret places that I shall not see him? saith the Lord. Do I not fill the heaven and the earth? saith the Lord."

That the Jews at the time of the Nazarene believed in a God that was Spiritual and Absolute, there can be no doubt. All admit that at the time of the alleged crucifixion the Jewish conception of God was very foreign to the notion of a God of flesh and blood. The Jewish religion had long since raised its Deity above the sensual, material, and corporeal things of the earth, and represented Him as a pure and most holy Spirit. That is why, when confronted by the early Christian claim that Jesus was actually equal with God, they considered it sheer paganism (John V : 18; X : 33). True,

their early forefathers had the conception that their God was personal, but it would be preposterous to expect that the Jews would at this stage have reverted back to the first stages in the development of the conception of the Deity. To the Jews at the time of Jesus, such a primitive conception would have been idolatrous and paganistic.

Permit me to quote to you a Christian author. Chandler ("The Trial of Jesus," Vol. I, p. 333) says: "Candor compels us to admit that the Jewish conception of God, at the time of the crucifixion, was very foreign to the notion of a God of flesh and bone. Hebrew monotheism taught the doctrine of one God who was purely spiritual, and therefore invisible, intangible and unapproachable. Judaism delighted to lift its Deity above the sensual, material and corporeal things of the earth, and to represent Him as a pure and sinless spirit in a state of awful and supreme transcendence. Our first impression, then, is that this dogma of divine unity and spirituality must have received a dreadful shock when Jesus, a carpenter of Nazareth, whose mother, father, brothers and sisters were known, confronted the high priest and declared to him that he was God."

Q. You stated, Dr. Ha-Levi, that there are no new ethical principles in the New Testament. Is it not a fact that the Old Testament teaches hate and revenge, while the New Testament teaches peace, love, and forgiveness? Furthermore, has not the New Testament advanced the concept of Fatherhood dogma which was entirely foreign to the Jews? Was not the God of the Old Testament exclusive, that is, the God of Israel but not the God of the Gentiles? Whereas the New Testament teaches that God is the Father of all creatures, the Gentiles as well as the Jews? How, then, can you maintain that Christianity does not expound a new religious concept, a New Testament? A. Generalities can neither be proved nor disproved, sir. In order to approach any subject scientifically, we must analyze it and consider it point by point.

It is absolutely false to state that the Law of Moses teaches hate. This notion that has developed among the

Christians was based on a statement made in Matthew (V : 43 23) supposed to have been made by Jesus in the Sermon on the Mount: "Ye have heard that it hath been said, Thou shalt love thy neighbor, and hate thine enemy."

Now at the very outset, I wish to call to the attention of the Court and the ladies and gentlemen of the jury, that the Biblical citation supposed to have been given by Jesus, does not exist. The first clause of the quotation is taken from Leviticus (XIX : 18), which reads: "And thou shalt love thy neighbor as thou lovest thyself." But the second half of the citation, "and hate thine enemy," is nowhere to be found, either in the Pentateuch or in the Prophetic writings. The Almighty never ordained in His Law that we should hate our enemies. It is preposterous to state that Jesus could have stooped so low, or that he was so ignorant, as to quote a non-existent Biblical text.

It is sheer folly and ignorance to contend that the Law of God does not teach love. First of all, the Almighty told us to love Him (Deut. VII : 5; XI : 1): "And thou shalt love the Lord thy God, etc." Then God said (Deut. VII : 8, 13; XXIII : 6; a. fr.) that He loves them, the Jews, when they obey His commandments. So, here we have mutual love between God and those who listen to His voice.

Secondly, the Almighty ordained that we must love one another: "And thou shalt love thy neighbor," etc. (cited above). And our love, commanded the Almighty, must not be confined to our neighbors, but must also be extended to the stranger: "And ye shall love the stranger, because ye were strangers in the land of Egypt" (Deut. X : 19).²⁸

The Christians contend that the Old Testament teaches revenge, and this is likewise based on a quotation supposed to have been made by Jesus in the Sermon on the Mount. Matthew says (V : 38-41): "Ye have heard that it hath been said, An eye for an eye, and a tooth for a tooth: But I say unto you, That ye resist not evil: but whosoever shall smite thee on the right cheek, turn to him the other also"; etc.

This case of the *lex talionis* most frequently cited by Christians, had never been put into practice among the Jews.

The Jewish jurists well understood that it would have been contrary to the spirit of the Law of God to apply the *lex talionis* to cases of mayhem and ordinary bodily injuries. From the earliest time, therefore, the Jewish jurists interpreted the Mosaic Law to mean payment of damages in cases of bodily injury as well as of mayhem (Mishnah, Baba Kamma VIII : 1; Babli, Baba Kamma 83b; see Goldin, "Mishnah Baba Kamma" ch. VIII, Mishnah 1).

Now, Your Honor and ladies and gentlemen of the jury, there has not been one single historical instance recorded in the annals of Christianity where the teaching imputed to Jesus was put into active practice. From Jesus himself down to our times, being struck on one's cheek has been very much resented by even the most devout Christian.

Why, Jesus himself was actually the first to disregard this Christian rule. When struck on the cheek by one of the high priest's officers (John XVIII : 22), he did not turn to him the other cheek, but he sharply denounced the injustice of the act. It is extremely difficult to explain why Jesus himself failed to apply this rule of ethics when the first opportunity presented itself to him.²⁹

The Popes, who occupy the throne of St. Peter, the Cardinals, the Bishops, the Clergy in general, and all Christians, not only adopted the Old Testament formula "an eye for an eye" *in toto*, but they went even a step further and tore out ten eyes for one.

The Christians argue that the Almighty was revengeful, according to the Old Testament, in that He ordained a dire fate for those who were obstinate and refused to obey His Law. However, it is obvious to any person who reads the New Testament that the Nazarene cursed and foretold a terrible future for those who failed to believe in him. One glance at the Book of Revelations will suffice to convince anyone that the "son of God" was a thousandfold more revengeful than the "Father." It makes one shudder when one visualizes the horrible scenes of destruction foretold in that Book of Revelations. Yet the Christians contend that only the "Father" was revengeful, not the "son."

It is held by the Christian Church that the Nazarene is the Prince of Peace, while the Father is a warrior, citing as an example Exodus XV : 3: "The Lord is a man of war." McNeile ("Matthew" XXVI : 52), commenting on the famous saying imputed by the author of the Matthean Gospel to Jesus, "For all they that take the sword shall perish with the sword," voices the opinion of the modern Church, when he says: "The use of weapons was contrary to the spirit and aims of Jesus, and of the early Church."

It is superfluous to point out how untrue this statement is with reference to the Church as a whole. History is full of recorded incidents which give the lie to this contention. But, if we are to place any credence in the records of the Gospels, the above statement is untrue even as regards the Nazarene himself.

St. Matthew, the very Evangelist whose alleged quotation imputed to Jesus forms the basis of the theory that Jesus was the "Prince of Peace," once before (or after) quoted Jesus as saying (Matthew X : 34-35): "Think not that I am come to send peace on earth: I came not to send peace, but a sword. For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter-in-law against her mother-in-law."

The Catholic Church, in an attempt to justify this war-like statement ascribed to Jesus, explains it (Douay's Edition, Matthew X : 35): "*I came to set a man at variance*, etc. Not that this is the end or design of the coming of our Savior; but that his coming would have this effect, by reason of the obstinate resistance that many would make, and of their persecuting all such as should adhere to him."

This explanation of the text is obviously untenable. In the first place, conceding that this is the true interpretation of the text, although obviously farfetched and illogical, history has proved just the reverse: those who obstinately refused to recognize Jesus in accordance with the conception of the Church, were mercilessly dealt with by the Christians, the followers of Jesus, and were often burnt alive. The merciless persecutors and tormentors, after a brief historic period

beginning with the Nicean Council, were not the opponents of Christ but his adherents.

In the second place, the effect of the Messiah's coming, as had been foretold by the Prophets of old (Micah IV : 1-5; Isaiah II : 2-4; XI : 1-9), was supposed to be just the reverse, peace and not the sword. Any religious dogma that brings a sword and leaves blood in its trail can be neither godly nor Messianic. Elijah, who in Jewish belief was to be the forerunner of the Messiah was expected, according to the Prophet, to bring about the opposite effect, an era of perfect harmony and peace between father and son, and not variance and strife. The prophet Malachi (III : 23-24, *or* IV : 5-6) says: "Behold, I will send you Elijah the prophet before the coming of the great and dreadful day of the Lord: and he shall turn the heart of the fathers to the children, and the heart of the children to their fathers, lest I come and smite the earth with a curse."

A Christian author McNeile ("Matthew" X : 35) unconcernedly remarks: "The effect of the lord's coming work was the opposite of that expected from Elijah (Mat. III : 26, *or* IV : 6)." Of course, this is obvious, but it is surprising that peace-loving Christians have made no attempt to explain away this Matthean text.

In the third place, the doctrine of severity is elaborated upon by the pagan Apostle St. Luke, in terms that are not subject to diversified explanations. This Evangelist quotes Jesus as saying (Luke XII : 49-53): "I am come to send fire on the earth; and what will I, if it be already kindled? . . . Suppose ye that I am come to give peace on earth? I tell you, Nay, but rather division: For henceforth there shall be five in one house divided," etc. And again he quotes Jesus as saying (Luke XIX : 27): "But those mine enemies, which would not that I should reign over them, bring hither, and slay them before me." And again this Apostle quotes Jesus as saying (Luke XX : 18): "Whosoever shall fall upon that stone [Jesus, spoken of in preceding verse] shall be broken; but on whomsoever it shall fall, it will grind him into powder." This stone-metaphor describing Jesus' severe revengeful attitude,

is likewise given by St. Matthew (XXI : 42, 44).

No Christian author or theologian has made any attempt to explain these texts away. They must admit that if we are to believe that these Evangelic quotations are correct, then the so-called Prince of Peace called for Crusades and Spanish Inquisitions. A modern Christian author (Plummer, "Luke" XIX : 27) emphasizes with great clarity (and with apparent elation): "Augustine more than once points to this sentence in answer to the objection that the severe God of the Old Testament cannot be identical with the God of Love in the New Testament. In the Apostles, as in the Law, the severity of God's judgments against wilful disobedience is plainly taught."

But this author, like most Christian authors, is as inconsistent as are the writers of the Gospels. In explaining Jesus' query of his disciples whether they possessed swords, this author says (Plummer, "Luke" XXII : 36): "Christ does not mean that they are to repel force by force; still less that they are to use force in spreading the Gospels. But in a figure likely to be remembered, He warns them of the changed circumstances for which they must now be prepared." One having love and peace in mind selects no "swords" as a figure of speech. It is also surprising that Jesus spoke only of swords, but not a word of the changing conditions.

In the passages quoted above, the contradictory and irreconcilable thoughts in the Gospels can be explained only when we realize that the revengeful attitude ascribed to Jesus was adopted by the early Christians who suffered at the hands of the unbelievers. They expressed their bitter feelings in the Nazarene's name, reversing the pacific and placid attitude formerly adopted or ascribed to Jesus. And the latter Christian attitude, of malice, bitterness, and revenge and not of love and peace, has been adopted by the Christian Church throughout the ages.

Now as to repentance and forgiveness. The Christians claim that repentance and remission of sin is a New Testament dogma, relying on St. Luke's statement (XXIV : 47)

where Jesus is quoted as telling his Apostles, "that repentance and remission of sins should be preached in his name among all nations." This claim is entirely unfounded.

The Pentateuch speaks of repentance and forgiveness (Deut. XXX, a. fr.). The Prophets speak of repentance and forgiveness. It is impossible to cite all the passages contained in the Old Testament dealing with this subject. Allow me to quote only two. Isaiah urges (LV : 6-7): "Seek ye the Lord while He may be found, call ye upon Him while He is near; let the wicked forsake his way, and the man of iniquity his thoughts; and let him return unto the Lord, and He will have compassion upon him, and to our God, for He will abundantly pardon."

Ezekiel (XVIII : 21-23) states: "But if the wicked turn from all his sins that he hath committed, and keep all My statutes, and do that which is lawful and right, he shall surely live, he shall not die. None of his transgressions that he hath committed shall be remembered against him; for the righteousness that he hath done he shall live. Have I any pleasure at all that the wicked should die? saith the Lord God; and not rather that he should return from his ways, and live?"

Q. But, Dr. Ha-Levi, do you not admit that the Jews in the Old Testament considered God to be exclusively Israel's and not the God of all nations, and that the concept of the universal Fatherhood of God originated with the New Testament? A. No, sir, I admit nothing of the kind.

The Jewish prophets, long before the advent of Jesus, employed the term "Father" as one of the Almighty's attributes when they wished to show that He was compassionate and merciful. Isaiah (LXIII : 16) says: "For Thou art our Father." Malachi (II : 10) complains: "Have we not all one Father? hath not one God created us? Why do we deal treacherously every man against his brother, profaning the covenant of our fathers?"

Christian authors, nevertheless, contend (Maclean, "Hastings Dictionary of the Bible," art. "God, 7"; and others): "As contrasted with the Old Testament, the New Testament emphasizes the *universal* fatherhood and love of God. The pre-

vious ages had scarcely risen above a conception of God as father of Israel; they had thought of God only as ruling the Gentiles and bringing them into subjection. Our lord taught, on the other hand, that God is Father of all and loving to all; he is kind even 'toward the unthankful and evil' (Luke VI : 35; cf. Matthew V : 45)."

In the first place, it must be emphasized that Jesus was not at all tolerant with the unbeliever and was not kind toward the unthankful and the evil. In addition to the passages cited above in which the revengeful attitude of Jesus is shown, we also find that he told his disciples (Matthew X : 14-15) that the city that would refuse to listen to them would be rendered less bearable than the land of Sodom and Gomorrah, the cities which the Almighty destroyed by brimstone and fire (Gen. XVIII : 17ff.). He prophesied suffering for the cities of Chorazin, Bethsaida, and Capernaum because of their unthankfulness and unrepentance (Matthew XI : 20-24). He said that he who has no wedding garments "shall be cast in outer darkness; there shall be weeping and gnashing of teeth" (Matthew XXII : 1-13).

Jesus expressly told his disciples (Matthew XXV : 41, 46) that no compassion would be shown the sinner but that "he (the King) shall say to them on the left hand, Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels." And he continued: "And these shall go away into everlasting punishment." There are indeed many doctrines and dogmas throughout the New Testament which are diametrically opposed to the idea that "God is kind and loving even to the unthankful and the evil."³⁰

Secondly, the prophets of old exhorted with the Gentiles to recognize the One God in heaven, so that they might become a part of His fold. Isaiah (LVI : 3, 6-7) states: "Neither let the alien that hath joined himself to the Lord, speak, saying, The Lord will surely separate me from His people . . . Also the aliens that join themselves to the Lord, to minister unto Him, and to love the name of the Lord, to be His servants, everyone that keepeth the Sabbath from profaning it, and holdeth fast by My covenant; even them will I bring to

My holy mountain, and make them joyful in My house of prayer; their burnt-offerings and their sacrifices shall be acceptable upon Mine altar; for My house shall be called a house of prayer for all peoples."

It is true, a pagan who refused to recognize the existence of the One Spiritual God, could not be called His child, but could be regarded only as one of His creatures. To earn the name, "child," one had first to recognize the Fatherhood of God. The prophet Malachi expresses this thought in simple words (Malachi I : 6): "A son honoreth his father, and a servant his master; if then I be a father, where is My honor? And if I be a master, where is my fear?"

The ultimate goal and hope of the Jew, however, has been from time immemorial, that all nations should eventually acknowledge the existence of one God in heaven; that the kingdom of God should be accepted by all nations and tongues; and that then, and only then, would the millennium be reached. Isaiah (XL : 5) prophesies: "And the glory of the Lord shall be revealed, and^d all flesh shall see it together; for the mouth of the Lord hath spoken it." The Prophet Zechariah prophesies (XIV : 9): "And the Lord shall be King over all the earth; in that day shall the Lord be One, and His name one." There are many other similar passages scattered throughout the Old Testament. (See Moore, "Judaism," Part I, pp. 228-229).

Mr. Christiani: That will be all, sir.

Mr. Ben Yehudah: No redirect examination. Thank you, Dr. Ha-Levi.

The Court: The witness is excused. Are you ready to call your next expert witness?

Mr. Ben Yehudah: Yes, your Honor. The Defense is ready to call Dr. Akiba ben Joseph, an expert in Jewish jurisprudence.

The Court: You may proceed to examine your witness.

Direct and Cross-Examination of Dr. Akiba ben Joseph, Expert in Jewish Jurisprudence

DR. AKIBA BEN JOSEPH, called as a witness in behalf of the Defense, being duly qualified as an expert in Jewish jurisprudence, and being duly sworn, testified as follows:

Direct examination by Hayyim Eliyahu ben Yehudah.

Q. Dr. Ben Joseph, can you tell the Court and the jury the methods of capital punishment that were practiced among the Jews at the time of the Nazarene? A. Certainly, sir. There were four methods of execution among the Jews: Stoning, burning, decapitation, and strangulation (Mishnah, Sanhedrin VII : 1; Maimonides, *Hilkot Sanhedrin* XIV : 1).

Q. Was the method of execution by crucifixion ever adopted by the Jews? A. No, sir.³¹ The Jewish jurists favored an execution that would cause extinction of life as rapidly as possible, and without marring the body.

Q. Was hanging ever adopted by the Jews as a means of execution? A. No, sir, never. Hanging was prescribed in Jewish law as a posthumous ignominy only, and not as a method of capital punishment. According to the individual opinion of Rabbi Eliezer, the posthumous ignominy of hanging was prescribed for all those who had been executed by stoning. According to the sages, or the majority opinion, however, hanging was applied only to the blasphemer and the idolator (Mishnah, Sanhedrin VI : 4, Maimonides, *Hilkot Sanhedrin* XV : 6).³²

Q. Dr. Ben Joseph, you have heard the witnesses for the Prosecution testify (Matthew XXVI : 4; Mark XIV : 1; Luke XXII : 2; John VII : 1) that the Jewish jurists sought to murder the Nazarene, that is, to take his life without due process of law. How does this charge accord with what you know of the character of these jurists? A. It would seem to

me, sir, that the charge is preposterous. No one with the slightest knowledge of the Hebrew commonwealth and its institutions would question its profound sentiments of justice and respect for law.

The Biblical ordinance (Lev. XIX : 15): "Thou shalt do no unrighteousness in judgment," had, at the time of the Nazarene, been highly developed. The Jewish jurists wrote (Babli, Sanhedrin 7a; Maimonides, *Hilkot Sanhedrin* XXIII : 9): "A judge who decides according to truth, causeth the Majesty of God to dwell in Israel; but a judge who decides not according to truth causeth the Majesty of God to depart from Israel."

The early maxims of the Mishnah were all in the direction of precaution against legal injustice and negligence. It ordained (Mishnah, Abot I : 1): "Be cautious and slow in judgement, send forth many disciples, and make a fence around the law."

J. Powis Smith ("The Origin and History of Hebrew Law"), after giving an analysis of the various ancient codes, writes in his comment, p. 279: "But neither Babylonian, nor Assyrian, nor Hittite laws attain an equal level with the Hebrew law in the moral and spiritual sphere. In the field of honesty, social justice, sympathy for the poor, and consideration for the foreigners the Hebrew law far surpasses all previous and contemporary law. This was the outstanding triumph of the Hebrews."³³

With regard to capital cases, there can be no doubt that long before the time of the Nazarene, the value set by law upon the life of a human being had led to extraordinary precaution. In their keen sense of justice, the Jews had developed the most humane of all contemporary systems of law and rules of procedure.

The Jewish jurists safeguarded the accused with so many rules and regulations that it became virtually impossible to convict him of a capital offense. Moore ("Judaism" Vol. II, p. 186) admits: "It is clear that with such a procedure conviction in capital cases was next to impossible, and that this was the intention of the framers of the rules is equally plain."

Thompson ("The Trial of Jesus," p. 12) says: "Among no peoples of which we have any record can we find a criminal code so explicit, so humane and embodying so many of what are now considered the essential elements of enlightened jurisprudence."

Consequently, the charge that the members of the Sanhedrin conspired to take the life of the Nazarene without due process of law and commit outright murder is almost too ludicrous to require refutation. The charge can be explained only by the anxiety of the Gospel writers to fix the responsibility for the Nazarene's death upon the Jews and their representatives.

Husband ("The Prosecution of Jesus," p. 73) comments on the statement made by St. John (VII : 1), "because the Jews sought to kill him." "The blunt remark of John," says Husband, "is doubtless the misleading statement of inexperience and partisanship. One should not conclude that the Sanhedrin had in mind anything except a genuine investigation and trial of Jesus." And again on page 75 this honest author states: "But the assumption often made that they (the Sanhedrin) intended to have him 'murdered,' or put him to death without due process of law, is quite unwarranted."

Even a Jewish apostate, Edersheim ("Life of Jesus," Vol. II, p. 557), admits: "It may safely be affirmed, that at a regular trial, Jewish judges, however prejudiced, would *not* have acted as the Sanhedrists and Caiaphas did on this occasion."

It is superfluous to state that neither the Pharisees nor the Sadducees would have dared to violate one of the Ten Commandments, "Thou shalt not kill," and one of the fundamental principles of the Mosaic Law emphasized and repeated so many times in the Pentateuch (Gen. IX : 5-6; Ex. XXI : 12, 14; Lev. XXIV : 17, 21; Num. XXXV : 16-21; Deut. XIX : 10-13). Even the *goel hadam*, the avenger of blood, the recognized representative of the family of a slain victim, was adjoined from taking the law in his own hands and from killing the accused without due process of law (Num. XXXV : 12).

There are innumerable texts scattered throughout the

Talmudic literature expressing the thought that human life, as a gift of God, must be safeguarded by society and must be saved even at the cost of violating the most sacred institutions of the Jew. Such citations would fill volumes. To quote but one such principle, the Talmud states (Babli, Yoma 85a-b; a. fr.): *Pikuah nefesh dobeh shabbat*, the duty of saving life supersedes the Sabbath laws. And the Sabbath must be profaned even for a person that is in possible danger of losing life (Mishnah, Yoma VIII : 6; Maimonides, *Hilkot Shabbat* II : 1).

Permit me, sir, to offer a few quotations from the Mishnah which deal directly with the question of one accused or convicted of murder. Rabbi Eleazer ben Azariah said (Mishnah, Makkoth I : 10): "The Sanhedrin, which so often as once in seven years condemns a man to death, is a slaughter-house." And more startling still, when we remember the Jewish dread of all anthropomorphism in speaking of the Divine is that terrible sentence of Rabbi Meir, in which the sentiment of a pupil of the Prosecution's most despised Pharisees is expressed. It reads (Mishnah, Sanhedrin VI : 5): "Said Rabbi Meir: When a man is sorely troubled, what says the *Shekinah* (the Divine Presence)? As it were [the Mishnaic expression *kibeyokhol*, "as it were," is used to apologize for an allegorical or an anthropomorphic expression employed with reference to God]: I am lighter than My head, I am lighter than My arm [i. e. My head is ill at ease, My arm is ill at ease]. If the Almighty is thus sorely troubled at the blood of the ungodly that is shed, how much more at the blood of the righteous."

Men with such respect for law and human life are neither murderers, sir, nor suborners of the law.

Q. Now, Dr. Ben Joseph, you have heard the fourth witness, St. John, testify in this Court (John XVIII : 13) that "they led Jesus away to Annas first, for he was father-in-law to Caiaphas, which was the high priest that same year." Is the reason advanced by this witness for having first taken Jesus to Annas tenable? A. No, sir. No rule of law or procedure in the Jewish system of law ever provided that a man

charged with a capital offense must first be taken to an ex-high priest whether he be the high priest's father-in-law or not. There was absolutely no object in bringing the Nazarene to Annas, unless it were for some political reason which was not divulged by the witness. The reason advanced in the Gospels, however, is utterly meaningless.

The witness makes no mention of any other members of the Sanhedrin having been present in the palace of Annas. Consequently, no regular court session was held. Some authors, therefore, have concluded that the Nazarene was brought to Annas for a preliminary hearing to determine whether or not he should be held for actual trial by the Sanhedrin presided over by Caiaphas. This reasoning, however, is faulty and untenable. There was no such procedure among the Jews.

Hall Caine ("Life of Christ," p. 835) writes with reference to the testimony given by this witness in the Johannine Gospel: "There were two courts of the Jews, a lower court and a higher one. The lower council (or lower Sanhedrin) was apparently a kind of court of first instance. It passed the accused on to the higher and grand court of the Sanhedrin on good cause being shown. I think it in the highest degree possible that Annas was president of this lower court in the time of Caiaphas. This would make it imperative that a prisoner should be first accused before him. This has been the custom of the law in nearly all countries and all ages. It was so in Jerusalem."

It is amazing to note how arrogant and ignorant some Christian authors are regarding the Jewish system of law and procedure. This author guesses and speculates about Jewish legal procedure, as if the Jews did not possess the most concise and detailed code describing in minutest detail the jurisdiction of the Lower Sanhedrin and of the Supreme or Greater Sanhedrin. It never occurred to him to turn to the Jewish codes of law, such as the Mishnah and the Gemara, or even to the historians of that period Philo and Josephus.

The Lower Sanhedrin was not, as surmised by Hall Caine, "a court of first instance." The Mishnah definitely states

(Sanhedrin I : 4; XI : 2) that the Lower Sanhedrin was a court of review or appeal from other courts situated outside Jerusalem throughout the land. It likewise enjoyed original jurisdiction, such as the right to try cases involving capital punishment. The Lower Sanhedrin did not sit in the capacity of a magistrate. The Jews had no such procedure. Other systems did have such a procedure in their courts, but *it was not so in Jerusalem*. Therefore his guess that Annas acted as president of the Lower Sanhedrin is preposterous.

This author further asserts (p. 839): "Annas tried to find grounds for sending Jesus on a specific charge of blasphemy to the court of Sanhedrin, which alone had the right (his lower court certainly had not) to try cases of blasphemy and (in olden times) to inflict the punishment of blasphemy—death."

How ignorant and careless this author is! A little effort on his part would convince him that his assertions are false. It is expressly provided in the Mishnah (Sanhedrin I : 4): "Cases involving offenses punishable by death are decided by twenty-three judges"; and this court was the Lower Sanhedrin (Mishnah, Sanhedrin I : 6). If, as Caine previously asserted, Annas was president of the Lower Sanhedrin, then he did have the right to try in his court cases involving the offense of blasphemy.

If the writer of the Johannine Gospel really did wish to record a case in which the procedure suggested by this author was followed, then he must have been an extremely poor reporter. This Gospel writer at no time mentioned (John XVIII : 13, 19-24) that there was a case involving blasphemy tried before a tribunal. The only questioning mentioned by John is that vague, general question supposed to have been made by the high priest (Caiaphas? Annas?) concerning Jesus' disciples and his doctrine.

Q. Now, Dr. Ben Joseph, you have heard the first two witnesses for the Prosecution testify in this Court (Matthew XXVI : 57-68; Mark XIV : 53-65) that the Nazarene was brought before the high priest Caiaphas and was tried by the members of the court who had been gathered there for that

purpose. In your opinion, judging from the facts as stated by these witnesses, did an actual trial take place in the palace of the high priest on that occasion? A. No, sir. If we are to accept the testimony of these witnesses, there was not even a semblance of a trial before Caiaphas. The entire procedure of the trial, as described by the witnesses, is not in conformity with any of the principles prescribed in the Jewish system of jurisprudence.

Q. From the description given by these witnesses, can you, Dr. Ben Joseph, tell what was the nature of the court that assembled in the palace of the high priest? A. It is difficult to tell. In the time of the Second Temple, in addition to the courts of three, lower tribunals, and the Minor Sanhedrin that existed in the various communities in the Jewish commonwealth, there were three courts of higher jurisdiction in Jerusalem, known as the Sanhedrin, two of which were the "minor Sanhedrin," and the third, the "Great Sanhedrin." The two "minor Sanhedrin" were composed of twenty-three members each, including the presiding judge. Their chief function was to hear appeals and review cases from other courts situated outside Jerusalem throughout the land. They also enjoyed original jurisdiction, such as the right to try cases involving capital punishment. One of these courts convened at the gate of the Temple Mount (which was situated at the east gate in front of the Court of Women), and the other at the Temple Court (which was situated at the entrance of the Court of Israelites) (Mishnah, Sanhedrin I : 4; XI : 2; Maimonides, *Hilkot Sanhedrin* I : 3; V : 2, 3; *Hilkot Mamrin* III : 8). The third court, the "Great Sanhedrin," was the highest tribunal in the land, consisting of seventy-one members.

Since it has been the contention of all Christian authors that the Nazarene was tried before the highest court in Jerusalem, of which the high priest Caiaphas was President, and since they claim that all the members that composed this tribunal were corrupt, bloodthirsty and godless, and committed outright murder, I deem it meet and proper, at this point, to give to the Court and the jury a brief description

of this supreme tribunal.

(a). CONSTITUTION. A President or Nasi (prince) was at the head of the Sanhedrin; next in authority was the vice-president, or *ab beth din* (literally in Hebrew, father of the house of judgment), who took his seat at the right of the President (Mishnah, Sanhedrin I : 6; Tosefta, Sanhedrin VIII : 1; Maimonides, *Hilkot Sanhedrin* I : 3). Before the members of the court stood two clerks, one on the right and the other on the left, and they respectively recorded the opinion of those who voted for acquittal, and the opinion of those who voted for conviction. There were also two messengers or servitors, executing punishment, etc. (Mishnah, Sanhedrin IV : 3; Babli, Sanhedrin 17b; Maimonides, *Hilkot Sanhedrin* I : 9, 10).

(b). JURISDICTION. The Great Sanhedrin formed the highest court of the Jewish commonwealth. It was the supreme council, legislative, administrative, and judicial. It was mostly appellant in nature, but it also enjoyed original jurisdiction in certain instances. While capital cases could be tried by a minor Sanhedrin consisting of twenty-three members (Mishnah, Sanhedrin I : 4), the idolatrous tribe, the false prophet (Deut. XVIII : 20), and the high priest had to be tried by the Great Sanhedrin of seventy-one. Offensive warfare might be declared only by the decision of the Great Sanhedrin. Additions to the City of Jerusalem and to the Temple area might be made, minor Sanhedrin might be set up for the several tribes, and a city might be declared as apostate (Deut. XIII : 13-18) only by a decision of the Great Sanhedrin (Mishnah, Sanhedrin I : 5; Maimonides, *Hilkot Sanhedrin* V : 1).

(c). QUALIFICATION OF MEMBERS. Among all the great systems of jurisprudence in the world, the ancient Hebrew system was the most exacting in the matter of judicial fitness. A candidate for membership in the Great Sanhedrin had to meet the following qualifications:

1. He had to be valiant, fearless, God-fearing, truthful and hating covetousness (Ex. XVIII : 21).

2. He had to be a Jew and a lineal descendant of Jewish parents (Mishnah, Sanhedrin IV : 2; Maimonides, *Hilkot Sanhedrin* II : 1).

3. He had to be a man of wisdom and understanding, thoroughly versed in the law, of profound knowledge, somewhat familiar with the sciences, as medicine, mathematics, astronomy, the methods employed by wizards, etc. (Babli, Sanhedrin 17a; Maimonides, *Hilkot Sanhedrin* II : 1).

4. He had to be familiar with many languages, because the Sanhedrin were not permitted to hear testimony of witnesses through an interpreter (Babli, Sanhedrin 17a; Maimonides, *Hilkot Sanhedrin* II : 6).

5. He had to be advanced in years, not less than forty years old, but not very aged, because he was then apt to be too severe (Babli, Sanhedrin 17a; Sotah 22b; Abodah Zarah 19b; Maimonides, *Hilkot Sanhedrin* II : 3).

6. He had to be of good appearance, and free of bodily defects, and of unquestionable integrity (Babli, Sanhedrin 17a, 36b; Maimonides, *Hilkot Sanhedrin* II : 6).

7. The childless and the eunuchs were not eligible to a seat in the Sanhedrin, because they did not possess the feeling of mercy (Baraita, quoted in Babli, Sanhedrin 36b; Maimonides, *Hilkot Sanhedrin* II : 3).

(d). HONORARIUM. The judges were not permitted to receive any remuneration for their services. The law is emphatically laid down (Mishnah, Bekhorot IV : 6; Maimonides, *Hilkot Sanhedrin* XXIII : 5): "If a man takes payment for acting as judge, his judgments are void."

(e). PLACE AND MANNER OF MEETING. The Great Sanhedrin convened at the Chamber of Hewn Stone, *lishkat ha-gazit*, which was situated north of the Court of the Israelites (Mishnah, Sanhedrin XI : 2; Maimonides, *Hilkot Sanhedrin*, I : 3). The seats of the judges were arranged in a semicircle so that all might see one another (Mishnah, Sanhedrin IV : 3; Maimonides, *Hilkot Sanhedrin* I : 3), and at the same time be in a position to observe the faces of the witnesses while they offered their testimony (Rashi ad Babli, Sanhedrin 36b).

(f). TIME OF MEETING. The Minor Sanhedrin and the Courts of Three held their sessions from the close of the morning prayers until noon (Babli, Shabbat 10a; Maimonides, *Hilkot Sanhedrin* III : 1). The Great Sanhedrin held their court sessions from the close of the daily morning sacrifice to the time of the evening sacrifice (Baraita, quoted in Babli, Sanhedrin 88b; Jer. Sanhedrin I, Halakah 4; Maimonides, *l. c.*). The morning sacrifice was slaughtered when the whole east was alight, at dawn (Mishnah, Tamid III : 2). The evening sacrifice was slaughtered at 2:30 in the afternoon, and sacrificed at 3:30 (Mishnah, Pesahim V : 1).

(g). QUORUM. Not all seventy-one judges steadily sat at court. But there was never less than a quorum of twenty-three present (Babli, Sanhedrin 37a; Maimonides, *Hilkot Sanhedrin* III : 2).

Q. In your opinion, Dr. Ben Joseph, did the two witnesses, Matthew and Peter, succeed in their attempt to describe a criminal trial before the Great Sanhedrin? A. They failed utterly, sir. Let me quote the opinion of a sincere author, Richard Wellington Husband, who writes ("The Prosecution of Jesus," pp. 203-204): "It seems clear that Mark and Matthew, in their present form, have conceived of the proceedings against Jesus as a criminal trial, and have endeavored to give it the appearance of one. But in this attempt they have failed signally, for they inserted so many irregularities that the narratives lost all trace of historical accuracy. That the writer of Mark in its present form was attempting to portray a criminal trial is obvious from the statement that the Sanhedrin 'convicted' (Mark XIV : 64) Jesus."

Q. If the Sanhedrin actually did try the Nazarene, as has been stated by the witnesses for the Prosecution, would this Jewish court have tried the case in the manner reported by the witnesses? A. Absolutely not. The irregularities are so numerous that if we accept the records of the Gospels, we would be forced to conclude that the Jewish members of the highest court presumptuously and maliciously violated every prescribed rule of procedure.

At the very inception of the proceedings, according to the Gospel writers, we find the following irregularities:

1. As has been stated before, the Great Sanhedrin convened at the Chamber of Hewn Stones, and not in the palace of the high priest or in any other private dwelling.

2. Cases involving capital punishment were tried before the Minor Sanhedrin of twenty-three.

3. The Great Sanhedrin, over which the Nasi presided, had no original jurisdiction over capital cases, with the exception of the few cases mentioned before, which can have no application to the case under discussion, since according to the testimony of the two witnesses for the Prosecution (Matthew XXVI : 65; Mark XIV : 64), the Nazarene was convicted on the charge of blasphemy.

4. There is an established rule of law in the Jewish system of jurisprudence, that in capital cases the merits of the case must be tried in the daytime (Mishnah, Sanhedrin IV : 1; Maimonides, *Hilkot Sanhedrin* XI : 1). But, according to the first two Synoptic witnesses, St. Matthew (XXVI : 20 ff., 57-66) and St. Peter (Mark XIV : 26 ff., 53-64), this trial was conducted by the Sanhedrin during the night.

5. A court may not convene on a Festival, according to Jewish law (Mishnah, Betzah V : 2; Maimonides, *Hilkot Shabbat* XXIII : 14). In the present case, according to the testimony of the first three witnesses for the Prosecution, the alleged trial before the Sanhedrin took place on the first night (Matthew, Mark) or the first morning (Luke) of Passover.³⁴

6. As has been stated before (page 405, *supra*), in capital cases it was required by law that two clerks stand before the judges, "one on the right and the other on the left, and they respectively recorded the opinion of those who voted for acquittal, and the opinion of those who voted for conviction" (Mishnah, Sanhedrin IV : 3; Maimonides, *Hilkot Sanhedrin* I : 9). If we accept the chronology of the Synoptics, that the trial was held on the first day of Passover, it would have been impossible for the Court to follow this procedure, because no writing was permitted either on the Sab-

bath or on Festivals.

Q. In your opinion, Dr. Ben Joseph, can the testimony of the witnesses for the Prosecution be justified by advancing any valid reasons for these flagrant violations of the law by the Jewish jurists? A. No, sir.

Some authors, Chwolson ("Das letzte Passamahl Jesu," pp. 11-125), Klausner ("Yishu ha-Notzri," p. 364), Stapfer ("Palestine in the Time of Christ," p. 96), and others, admit that the Pharisees, in their keen sense of justice and high regard for human life, would most certainly have abided by all rules of law and procedure in conducting a trial involving capital punishment. They contend, however, that the Great Sanhedrin at the time of the Nazarene was composed chiefly of members belonging to the Sadducean party, Ananias, Caiaphas and their followers, and that this would explain this alleged disregard for the existing laws.³⁵

This argument cannot be sustained on several grounds. In the first place, according to the express testimony given by the fourth witness for the Prosecution, John (XVIII : 3), the Sanhedrin was composed not only of the members of the Sadducean party, consisting of the priestly aristocratic family, but of Pharisees as well.

Secondly, if members of the Sadducean party became judges, they were forced to render decisions in accordance with the Pharisaic interpretation of the Law, because the multitude, that is, the people, would not otherwise tolerate them (Tosefta, Niddah V : 3; Babli, Niddah 33b; Yoma 19b; Josephus, "Antiquities," XVIII, i, 4).

Thirdly, these authors overlook the fact, that the Sadducees were even stricter than the Pharisees in interpreting the Law of Moses; in fact, they interpreted it too literally, and, according to Josephus ("Antiquities," XX, ix, 1), too rigorously. They refused, for instance, to accept the interpretation made by the Pharisees on some of the laws embodied in the Mosaic Law, such as relate to the refutation of witnesses to make them subject to the *lex talionis* (Mishnah, Makkot I : 6). They also refused to recognize certain cus-

toms or religious rites practiced by the Pharisees supposed to have been introduced by old traditions; for instance, the popular festivity of the water libation and the preceding procession on each night of the Tabernacle Feast, on which the Pharisees laid much stress in the time of the Second Temple (Tosefta, Sukkah III : 5; Babli, Sukkah 48b; *see also* Josephus, "Antiquities," XIII, xiii, 5). There were many other major and minor instances in which the Sadducees refused to accept the views of the Pharisees. But with regard to the explicit ordinances laid down in the Law of Moses itself, they were very strict and rigorous, and certainly would not have dared openly to violate its decrees.

According to the testimony offered by the witnesses for the Prosecution, these Sadducees who were members of the highest court at Jerusalem were simply trying to commit murder by means of a farcical trial and false testimony, and of this not even the Sadducees would have dreamed. The law prohibiting the commission of murder was by no means a mere Pharisaic invention, nor did it base its existence and its enforcement on merely an old tradition.

Among the Jews, there were certain fundamental principles of law and procedure which came down from time immemorial, "a Sinaitic tradition," *halakab l'moshe misinai*, a law that came down from Moses on Mount Sinai, as the Talmudic saying went (Babli, Kiddushin 38b; a. fr.). These rules had to be respected by all sects, including the Sadducees. True, the Sadducees disagreed with the Pharisees on certain interpretations of the Mosaic texts, but these differences had no bearing whatsoever on the case that the writers of the Gospels tried to make out against the Nazarene. Most of the rules of jurisprudence, especially those pertaining to evidence and those defining capital offenses and their method of punishment, are explicitly mentioned in the Mosaic Law, and no official Jewish tribunal would ever have dared to override them.

The theory, therefore, advanced by those authors, that the wrongful decisions of law and procedure and the flagrant

violations of express Mosaic provisions, as described in the Gospels, were administered by a Sanhedrin composed of members of the Sadducean party, cannot be sustained.

Q. Are these the only arguments that have been advanced to justify the statements made by the witnesses for the Prosecution? A. No, sir. Christian and Jewish authors have both attempted to advance other reasons to justify the testimony of the witnesses. Klausner ("Yishu ha-Notzri," p. 363) contends that the laws laid down in the Mishnah by the Jewish jurists did not conform to those observed at the trial of the Nazarene because a period of two hundred years and many and various occurrences intervened between the time of the Nazarene and Rabbi Judah ha-Nasi, the editor of the Mishnah. He further contends that, although the highly humanitarian system of procedure embodied in the Mishnah was not in existence in the time of the Nazarene, yet it is inconceivable that the disciples of Hillel and Shammai would have condemned a man to capital punishment for having claimed to be the Messiah.

Moore ("Judaism," Vol. II, note 5 to page 187) says: "The inquiry whether the trial of Jesus was 'legal,' i. e., whether it conformed to the rules in the Mishnah, is futile because it assumes that those rules represented the judicial procedure of the old Mishnah."

This contention cannot be sustained at all.

It would be well to bear in mind that the rules of law and procedure contained in the Mishnah compiled by Rabbi Judah ha-Nasi, which forms the basic digest of the *lex non scripta*, the unwritten law of the Jewish commonwealth, were not proclaimed by an executive or legislative body. The entire system of jurisprudence had been in the process of development, orally transmitted through the centuries, long before the time of the Nazarene. Any student of jurisprudence knows that no system of law and procedure, especially one as elaborate as that of the Mishnah, can be worked out in such minute detail overnight. It is evolved by a natural, slow process, at times painfully gradual, extending over many years.

The code of the Jewish traditional law, known as the "Mishnah" par excellence, was codified by Rabbi Judah ha-Nasi (born 135 C. E.). It cannot be doubted, however, that an attempt to codify the *halakah*, the traditional law, had been made by Jewish jurists at a much earlier date. The Mishnah (Sanhedrin III : 4) speaks of a "Mishnah rishonah," an earlier (or first) Mishnah. At what date this earlier Mishnah first began to take definite form, cannot be stated with exactitude. Isaac Halevy ("Berliner Magazin," 1886) would have it that the beginnings of the first codification go back to the time of the Great Assembly, Ecclesia Magna, a supreme authority established under Ezra and Nehemiah (circa, 450 B. C. E.). M. Lerner ("Berliner Magazin," 1886, pp. 1-20) believes that Hillel the Elder and his contemporary Shammai, before the destruction of the Second Temple (circa, 32 B. C. E.) edited a Mishnah; while D. Hoffman ("Die Erste Mishnah und die Controversen der Tannaim," Berlin, 1882) is of the opinion that an attempt to embody the *halakah* into a code was first made by the *Zikne bet Shammai*, the elders of the School of Shammai, and the *Zikne bet Hillel*, the elders of the School of Hillel.

Thereafter the synod of Jabneh (Jamnia), under the presidency of Rabban Gamaliel II, and Rabbi Eliezer ben Azariah, immediately after the destruction of the Second Temple by Titus, undertook to collect the ancient laws, examine them, and decide upon their wording and their differences; thus there arose the collection of laws known as "Eduyot" (Babli, Berakot 28a).

About a half-century later, Rabbi Akiba undertook to make a methodical arrangement of the same laws incorporated in the Eduyot collection. He sifted the vast traditional material, and edited a systematic collection, known as "Mishnah Rabbi Akiba," by arranging different subjects in different treatises (Mishnah, Sanhedrin III : 4; Babli, Sanhedrin 86a; Abot d'Rabbi Nathan XVIII : 1).

Thus it is seen that the laws embodied by Rabbi Judah ha-Nasi in the present Mishnah, did not originate with him and his contemporaries, but had been transmitted by tradi-

tion from the centuries before his time. Furthermore, it must be borne in mind, that, as has been stated before, the fundamental laws relating to capital offenses and their punishments, as well as the rules of evidence, are expressly provided for in the Mosaic Law. And, if we are to believe the testimony given by the witnesses for the Prosecution, the judges who tried the case of the Nazarene not only violated rules which might have had their origin subsequently, but also fundamental Mosaic laws.

Q. Dr. Ben Joseph, you have heard the first two witnesses testify (Matthew XXVI : 59; Mark XIV : 55) that the Sanhedrists sought for witnesses when the Nazarene was brought before them for trial. Can this statement be sustained on the principles of the Jewish system of procedure? A. No, sir, it cannot. In the Jewish system of jurisprudence, there was no prosecuting attorney to accuse the offender; the accusing witnesses were the sole prosecutors. They were obliged to tell the court the nature of the offense they had witnessed, and the court conducted the trial according to prescribed procedure, by examination and cross-examination (Mishnah, Sanhedrin V : 1-5; Maimonides, *Hilkot Edut* I : 4-6, II : 1-5; *Hilkot Sanhedrin* XII : 1, 3). Until such charges were preferred against the offender, he was considered as unaccused. No man could be brought to a court of law for trial without first having had a specific charge lodged against him by at least two witnesses (Maimonides, *Hilkot Sanhedrin*, XII : 1).

Consequently, it was impossible, as has been stated by the witnesses for the Prosecution, that the Nazarene was first brought for trial and that the Sanhedrists then tried to obtain testimony to make out a *prima facie* case against him.

Q. Dr. Ben Joseph, you have heard the first two witnesses state (Matthew XXVI : 61-62; Mark XIV : 58-60) that when the Nazarene was tried by the Sanhedrin, two witnesses came and testified that he had said he would destroy the Temple and rebuild it in three days. The President of the Sanhedrin, with apparent excitement, asked the Nazarene: "Answerest thou nothing? What is it that these wit-

ness against thee?" Can you explain to the Court and the ladies and gentlemen of the jury, the nature of the offense that the Nazarene allegedly committed by making such a statement? A. According to the principles of Jewish jurisprudence, such a statement would have constituted no offense whatsoever. A mere boast of being able to perform miracles was not punishable by law. The fact that this boast was made with reference to the Temple does not in any way alter the law.

It is difficult to explain why the high priest Caiaphas should have become so terribly perturbed and irritated upon hearing the testimony of the witnesses who had claimed to have heard the utterance, that he should have risen and cried out as he did—unless the witnesses for the Prosecution wish us to believe that the high priest, the President of the Great Sanhedrin, was so ignorant of the fundamental principles of the Jewish law that he considered the declaration made by the Nazarene a very grave offense. But was there not among this august body of judges at least one learned member who had some knowledge of the Jewish law and procedure who would call the President's attention to the gross irregularity of the proceedings and errors of law? Would the witnesses for the Prosecution have us believe that the entire tribunal consisted of ignoramuses? But what about the Pharisaic members who were present, according to the testimony given by the fourth witness for the Prosecution (John XVIII : 3)? And what about the learned sage Rabban Gamaliel who was a member of the Great Sanhedrin, according to St. Luke (Acts V : 34)? This fearless Doctor of the Law was not afraid to protest against the intention of the Sanhedrin to execute Peter and the other Apostles. Why did he not protest now? Why did he not tell the high priest and the other members of the court that the testimony given by the witnesses concerning the rebuilding of the Temple did not constitute a capital offense? Even the boastful expression recorded by St. Peter (Mark XIV : 58), alleged to have been made by the Nazarene, that he would rebuild the Temple in three days without hands, would not in Jewish law have

constituted a criminal offense, much less a capital offense.³⁶

Q. Now, Dr. Ben Joseph, you have heard the first witness testify (Matthew XXVI : 62) that the high priest arose, and the second witness testify (Mark XIV : 60) that the high priest stood up in the midst. Can you explain the reason for the high priest's rising at this stage of the proceedings before him? A. It is somewhat difficult to explain, sir. There is a provision made in the Talmudic law (Mishnah, Sanhedrin VII : 5; Maimonides, *Hilkot Abodah Zarah* II : 8) that all the judges trying a case involving the capital offense of blasphemy must rise to their feet upon hearing the witness repeat the blasphemous words used by the culprit.

However, this rule of procedure has no application to the present case. In the first place, the utterance ascribed to the Nazarene did not constitute the capital offense of blasphemy. Secondly, if those judges in their ignorance did consider it blasphemy, then "all" the judges should have risen, if they wished to comply with the law, and not only Caiaphas. And if it is to be assumed that his rising was a mere indication of impatience and excitement, then, what was the cause of the excitement?

Q. The first two witnesses for the Prosecution testified (Matthew XXVI : 62; Mark XIV : 60) that the high priest said to the Nazarene: "Answerest thou nothing?" In your opinion, Dr. Ben Joseph, did the high priest, as President of the Sanhedrin, follow a correct procedure in this instance? A. No, sir. This question was irregular, and could not have been asked by the President of the Sanhedrin, for it is contrary to the rules of procedure in the Jewish system of jurisprudence. At no time was the accused called upon by the court to make answer to refute the testimony of the witnesses. The evidence produced by two or more witnesses who brought the accusation against the culprit was final and conclusive, and could not be shaken or disproved by the alleged offender. If, however, the prisoner produced another set of witnesses to refute the testimony of the accusing set, then he was freed, for it was then considered as if no evidence at all had been produced against him (Babli, Baba Kamma 72b;

Sanhedrin 27a; Maimonides, *Hilkot Edut* XVIII : 2).

Q. The witnesses also testified (Matthew XXVI : 62; Mark XIV : 60) that the high priest asked the Nazarene: "What is it which these witness against thee?" Was this question in accordance with the prescribed rules of procedure? A. Not at all, sir. Such a question could not have been asked by the high priest, because no defendant was ever called upon to explain his utterances or deeds. It was entirely within the province of the court to explain legal points of law, as to what act or words constituted an offense of which a court of law might take cognizance. No court of law would have asked a defendant for an interpretation of the testimony given by the accusing witnesses.

Q. The first witness, St. Matthew, testified (XXVI : 63) that the high priest said to the Nazarene: "I adjure thee by the living God, that thou tell us," etc. Was this adjuration in conformity with the Jewish rules of procedure? A. No, sir, it was not. Obviously this witness is totally ignorant of Jewish law and procedure. To adjure a witness to tell the truth before making a statement, was entirely foreign to the Jewish law. No witness whose testimony was required in a court of law was ever awed with an adjuration; nor was he administered an oath by the court to tell nothing but the truth.³⁷ The divine prohibition against bearing false testimony (Ex. XX : 16) was considered a sufficient admonition, for whosoever would violate this prohibition would not scruple to assert falsehood with an oath. The court simply admonished the witness before hearing his testimony, not to offer any testimony based on hearsay, and called his attention, especially in cases involving capital punishment, to the severity of the crime of giving false testimony.

The mode of admonishing witnesses is expressly described in the Mishnah (Sanhedrin IV : 5; Maimonides, *Hilkot Sanhedrin* XII : 3): "How were the witnesses admonished in capital cases? They brought them in and admonished them, saying: 'Perchance your testimony will be based upon mere supposition [that is, circumstantial evidence], or on hearsay, or on the statement made by another witness, or

you may say in yourselves, We heard it from a man that is trustworthy. Or perchance you are not aware that finally we will investigate your testimony by examination and cross-examination. Know ye, moreover, that there is no similarity between civil and capital cases: in civil cases, one may pay money and so make atonement; but in capital cases, the witness is answerable for his blood [of the person wrongfully executed] and the blood of his posterity [that would have been born to him] to the end of the world.”³⁸

In the Law of Moses, only one instance is found where the suspect was adjured, and that is in the case of the *sotah*, the suspected adulteress (Num. V : 11-31).

Q. The first three witnesses for the Prosecution testified in this Court (Matthew XXVI : 63; Mark XIV : 61; Luke XXII : 67) that the President of the Sanhedrin tried to obtain an admission from the Nazarene that he was the Christ. From a legal point of view, what would have been the object in putting such a question to the Nazarene? A. No object at all, sir. It could not have been asked for the purpose of wringing a confession from him, because his confession could not be used against him in any manner at all. “Ain adam mesim atzmo rasha,” no man can incriminate himself, was an established principle in Jewish jurisprudence (Babli, Sanhedrin 9b, 25a; Ketubot 18b; Yebamot 25b; a. fr.). The sole efficacy of confession in Jewish law was to make the culprit eligible to receive his share in the world to come (Mishnah, Sanhedrin VI : 2).³⁹

Q. Dr. Ben Joseph, will you please tell the Court and the jury whether it is possible, from a legal point of view, for the high priest to have asked the question (Matthew XXVI : 63), “tell us whether thou art the Christ, the Son of God,” or “the Son of the Blessed” (Mark XIV : 61)? A. It is absolutely impossible for the President of the Sanhedrin to have asked such a question of the Nazarene at this point of the proceedings. According to the Gospel testimony, the President of the Sanhedrin disregarded the only charge brought against the Nazarene, namely, that he had claimed to be a miracle-worker (Matthew XXVI : 60-61;

Mark XIV : 58-60), and he was now attempting to wring a confession from the Nazarene to an entirely different indictment of his own choosing, the charge that Jesus had claimed to be "the Christ, the son of God," or "of the blessed," or simply a mere "Christ" (Luke XXII : 67).

This procedure could not have been followed by the Sanhedrin, because it was entirely foreign to the Jewish conception of jurisprudence. Even a Sadducee would not have dared to ignore the testimony given by the accusing witnesses, and raise an issue of his own, because it is against the spirit and injunction of the Law of Moses, that every crime must be established by the testimony of at least two eye-witnesses (Deut. XIX : 15).⁴⁰

Q. Dr. Ben Joseph, you have heard St. Matthew and St. Peter testify (Matthew XXVI : 65; Mark XIV : 63) that the high priest rent his clothes. Was this in compliance with the principles of Jewish law? A. In part, yes. Among the Hebrews, the rending of garments was a common sign of deep grief and mourning. Jacob tore his garments upon identifying the bloodstained coat of his son Joseph, who he thought had been torn by beasts (Gen. XXXVII : 34); Joshua tore his garments when his warriors suffered defeat at the hands of the people of Ai (Josh. VII : 6); and there are many other similar instances. (See Num. XIV : 6; Is. XXXVII : 1; Jer. XXXVI : 24; Joel II : 13; Acts XIV : 12-14).

The Jewish code requires (Mishnah, Sanhedrin VII : 5; Maimonides, *Hilkot Abodah Zarah* II : 8) that when blasphemous utterances are repeated in court, all those present must rise to their feet, and rend their garments with a rent that can never be repaired. This procedure was derived by the Jewish jurists from the story told in II Kings XVIII : 37 and Isaiah XXXVI : 22 (Babli, Sanhedrin 60a).

But in the present case there was no compliance with this Talmudic rule of law; for, according to the testimony given by the witnesses, only the President of the court tore his clothes and not the other members of the court.

It is difficult to see how the Christian commentators can

reconcile this discrepancy. They contend that Caiaphas, the President of the Sanhedrin, was a Sadducee and therefore had little regard for the Biblical and Talmudic rules of law and procedure, and that this was the sole reason why the Nazarene did not receive a fair trial at the hands of the Sanhedrists. If Caiaphas, however, actually did ignore the most fundamental principles of law, Mosaic as well as Talmudic, why did he in this particular instance choose to observe the custom of rending his garments, a procedure not provided for by the Mosaic law as essential in cases of blasphemy, but merely adopted by the Rabbis from the texts of the Scripture?

Q. Dr. Ben Joseph, you have heard the first witness testify (Matthew XXVI : 65) that upon hearing the claim of the Nazarene that he would sit on the right hand of power and come in the clouds of heaven, the President of the Sanhedrin said to the members of the court, "he hath spoken blasphemy." The second witness quoted Caiaphas as saying (Mark XIV : 64), "ye have heard his blasphemy." Please tell the court and the ladies and gentlemen of the jury whether the Sanhedrists violated any rules of law and procedure at this point, and also whether Jesus' declaration would in law have constituted the capital offense of blasphemy? A. First, as to the irregularities in the proceedings, the presiding judge violated at this point another established rule of procedure, namely, that in taking a vote to determine the guilt or the innocence of the defendant, the youngest members of the Sanhedrin had to vote first (Mishnah, Sanhedrin IV : 2; Maimonides, *Hilkot Sanhedrin* XI : 6), in order that they might not be influenced by the votes or the arguments of their senior colleagues. In this case, the high priest, although President of the Sanhedrin, expressed his opinion of guilt before any vote had been taken.

Now, since the writers of these Gospels expressly stated that the high priest found the Nazarene guilty of the capital offense of blasphemy, it becomes necessary to define what constituted the offense of blasphemy and its appropriate punishment first in the Law of Moses and second in the Tal-

mudic law; and also what procedure is to be followed by the court when trying a case involving the crime of blasphemy.

At the outset, however, it is important to note that when we speak of blasphemy we have in mind the type of blasphemy which constitutes a capital offense in Jewish jurisprudence. There are many conceptions and expressions which, although morally blasphemous per se in the extreme when applied to the Deity, yet are not punishable capitally by a human court of law.⁴¹ There are certain punishments meted out for uttering blasphemous expressions, but we cannot for the purpose of our investigation, go into those details, as they have no bearing upon the case in issue.

The offense of claiming to be literally the "son of God" was a novel one created by the Evangelists, and had until then been unknown to the Jewish jurists. There had been no law in the Jewish codes of law, defining such an offense and providing for the punishment of it, as it had never occurred to any Jewish jurist that an individual would or could ever make such a claim.⁴²

As a people, the children of Israel, because of their having accepted the Law of God, are at times called in the Pentateuch (Deut. XIV : 1): "Ye are the children of the Lord your God." This, of course, is qualitatively different from the expression "Son of God," as defined in the Gospels. The claim of the Nazarene could be interpreted by Jews only as sheer paganism and idolatry. Nevertheless, no matter how idolatrous such a claim by the Nazarene might have been in the opinion of the Jewish jurists and theologians, it would not have constituted in law, either Mosaic or Talmudic, that capital offense of blasphemy for which a court of law could mete out the punishment of death.

(1). *Blasphemy in the Mosaic Law.* There is an actual case recorded in the Pentateuch involving the offense of blasphemy. It is told (Lev. XXIV : 10-15): "And the son of an Israelitish woman, whose father was an Egyptian, went out among the children of Israel; and the son of the Israelitish woman and a man of Israel strove together in the camp. And the son of the Israelitish woman *blasphemed the name and*

cursed [Italics mine]; and they brought him unto Moses . . . And they put him in ward, that it might be declared unto them at the mouth of the Lord. And the Lord spake unto Moses, saying: Bring forth him that hath cursed without the camp; and let all that heard him lay their hands upon his head, and let all the congregation stone him. And thou shalt speak to the children of Israel, saying: Whosoever *curseth* his God shall bear his sin. And he that blasphemeth the name of the Lord, he shall surely be put to death; all the congregation shall certainly stone him; as well the stranger, as the home-born, when he blasphemeth the Name, shall be put to death."

What actually happened in this case was that the offender held for the crime of blasphemy "blasphemed the name of God and cursed." Thereafter the law was laid down by the Almighty Himself that "whosoever curseth his God shall bear his sin, and he that blasphemeth the name of the Lord, he shall be put to death."

The Scriptural text, then, expressly provides that one cannot be held guilty of the capital offense of blasphemy unless one has cursed the Name and blasphemed, as was done by the Israelitish woman's son in the desert. According to the Biblical law, the mere fact that the Nazarene claimed to be the "son of man," or the "Son of God," or that he "would ride in the clouds," or that he "would sit on the right hand of power,"—all of these claims, although they are highly blasphemous and idolatrous expressions, do not constitute the legal offense of blasphemy, so long as they are not accompanied by cursing the Name. Since this is a rule of law expressly ordained in the Mosaic Law, even the Sadducees could not and would not have dared override it so brazenly as to declare in open court that the Nazarene was guilty of blasphemy, as reported in the text of the Gospel.

(2). *Blasphemy in the Talmudic Law.* The Talmudic law regarding the offense of blasphemy is likewise very clear and concise: "The blasphemer is not amenable to the law, unless he explicitly pronounces the Name itself" (Mishnah, Sanhedrin VII : 5). In order to be held guilty of the crime of blasphemy, it is essential that the culprit blaspheme one

Name of the Almighty with another name; as, if he should say. "May so and so (mentioning one Name applicable to the Almighty) strike so and so" (mentioning another Name applicable to the Almighty); or: "May so and so (mentioning one Name) curse so and so (mentioning another Name)" (view of Samuel, in explaining a Baraita, quoted in Babli, Sanhedrin 56a; Rashi, a. l.; Maimonides, *Hilkot Abodah Zarah* II : 7).

There is a controversy of opinion among the Jewish jurists as to which of the Names one must blaspheme in order to be guilty of the offense of blasphemy. Rabbi Meir holds that one is guilty when he blasphemes any of the Divine Attributes; such as *Shaddai* (Almighty), *Zebaot* (Lord of Hosts), *Hannun* (the Gracious), *Rahum* (the Merciful), and *Ereh Appayim* (the Long-suffering). But the sages hold that one can be held guilty only when one blasphemes the *Shem Hameyuhad*, the proper Name of the Lord, but not one of the Divine Attributes (Mishnah, Shebuot IV : 13, Baraita, quoted in Babli, Sanhedrin 56a). According to Rashi (ad Sanhedrin 56a, s. v. *al shem hameyuhad*), the *Shem Hameyuhad* consists of the four letters, Yod, He, Vav, He, generally pronounced "Adonai." Maimonides says (*Hilkot Abodah Zarah* II : 7) that the term applies also to the four letters, Aleph, Daleth, Nun, Yod, pronounced "Adonai."

Neither the Biblical nor the Talmudic law of blasphemy can be applied to the Nazarene. The essential element of the capital offense of blasphemy, according to both systems of law, is that the culprit must curse the Name of God with another Name or with a Divine Attribute. Surely the Nazarene did not curse The Name. According to the Synoptic witnesses, he simply made a statement that he possessed divine powers. He openly stated in court that he "would be sitting at the right hand of power, and moving about in the clouds of heaven." He wished to impress upon the judges that he was superhuman; that at some future time he would be God's beloved and chief adviser (as if God were in need of one), His vicegerent, so to speak; and that like the Deity, he would "ride in the clouds" a poetic expression used by the

Psalmist, "*hasam abim rekhubo, ham'halekh al kanfe ruah*, who maketh the clouds His chariot, and walketh upon the wings of the wind" (Psalms CIV : 3). Or, it is possible that the expression was used by the Gospel writer simply to emphasize the "son of man" in Daniel (VII : 13).

For a human being to claim for himself divine powers, does not constitute the offense of blasphemy in Jewish jurisprudence, even when the claim reaches the heights and sublimity of God Himself. When a mortal sets himself up as a God, and instigates people to worship him, he is held guilty of the offense of *mesith*, instigating others to worship idols,⁴³ but not of blasphemy.

(3). *The Court Procedure Practiced by the Jews in Cases of Blasphemy*. The Jewish jurists were confronted with a serious problem in trying a case involving blasphemy, for they dared not permit the accusing witnesses to repeat the blasphemous words in open court. They therefore instituted the following procedure (Mishnah, Sanhedrin VII : 5): "Said Rabbi Joshua ben Karha: 'Every day [during the entire proceedings], the witnesses were requested to make their statements using a substitute for the Divine Name, [testifying that the defendant said:] 'May Jose strike Jose.'⁴⁴ When sentence was to be pronounced, they did not declare him guilty of a capital crime [on the testimony given] with the substituted name, but they dismissed all the people, and asked the chief among the witnesses, and said to him: 'State expressly what thou heardest' [the blasphemer say, without euphemistic disguise]; when he says it, the judges stand on their feet, and rend their garments, which may not be mended again. The second witness then says: 'I also heard the like'; and the third witness says: 'I also heard the like.'"

From the foregoing it is obvious that the Nazarene could not have been convicted by a Jewish tribunal on the charge of blasphemy.

Q. In your opinion, Dr. Ben Joseph, could the Sanhedrists have convicted the Nazarene of any criminal offense other than blasphemy? A. Certainly, sir. A Jewish tribunal that had any kind of legal training could have convicted the

Nazarene on three different counts, which are considered capital offenses in Jewish jurisprudence, Biblical as well Talmudic.

Q. Dr. Ben Joseph, please explain to the Court and the ladies and gentlemen of the jury the nature of these three capital offenses. A. Gladly, sir. However, because of the lengthy definition of each count, I should prefer to discuss each count separately.

There can be no doubt that the Nazarene could have been convicted as a *mesith*, that is, for instigating people to embrace idolatry or to worship an idol. The punishment would have been execution by stoning (Deut. XIII :7-12).

In discussing the offense of being a *mesith*, instigating others to idol-worship, we must ascertain, (1) What constitutes the offense in the Law of Moses; (2) What constitutes the offense in Talmudic law; and (3) Whether this law is applicable to the Nazarene.

(1). The Law of Moses was very severe with the idolator. Idolatry even in the time of Moses, was looked upon as an offense which tended to undermine the very foundation of the Jewish law, religion, and national existence. Idolatry, it was argued, would tend to lead the Jewish people into the evil, immoral practices of the pagan peoples who surrounded the Jewish land. The law therefore meted out very severe punishment for every form of idolatry.

To the class of idolatrous offenders belongs the *mesith*, one who makes an attempt to persuade Jewish people to worship idols, or strange gods. The Law of Moses ordained (Deut. XIII : 7-12): "If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers; namely, of the gods of the people which are round about you, nigh unto thee, or far off from thee, from one end of the earth even unto the other end of the earth; thou shalt not consent unto him, nor hearken unto him; neither shalt thine eyes pity him, neither shalt thou spare, neither shalt thou conceal him: but thou shalt

surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people. And thou shalt stone him with stones that he die; because he hath sought to thrust thee away from the Lord thy God, which brought thee out from the land of Egypt, from the house of bondage. And all Israel shall hear, and fear, and shall do no more any such wickedness as this among you."

The offense of the *mesith* is thus clearly defined in the Scriptural text, and so is the method of execution: stoning, first by the accusing witnesses, and then by the entire community, because it is an offense not only against God, but also against the State, the Commonwealth. The punishment is clearly stated in verse 11 to be of a deterrent nature, to avoid a repetition of the crime by others. It must be remembered that Israel was a young nation struggling to introduce a new type of religious worship in a world dominated by idol-worshippers.

(2). The Jewish jurists were forced to introduce some innovations with reference to procuring evidence against the offender guilty of the crime of being a *mesith*.

The Mosaic Law lays down a general rule of evidence (Deut. XVII : 6): "At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death; but at the mouth of one witness he shall not be put to death." The Jewish jurists foresaw that the shrewd enticer might escape punishment by skilfully enticing one person at a time, and thus at no time permit the required two witnesses to accuse him of the crime. The Jewish jurists therefore laid down the law (Mishnah, Sanhedrin VII : 10; Maimonides, *Hilkot Abodah Zarah* V : 3) that in such a case, the court must plant secret witnesses to record his words.⁴⁵

Another rule of law was laid down with reference to the *mesith*, that because of the nature of offense, the law dispenses with the necessary requirement of giving the offender forewarning, *hatraah*, before the commission of the crime (Maimonides, *Hilkot Abodah Zarah* V : 3).

According to Talmudic law, the *mesith*, as well as those who yielded to the enticement of the *mesith* were subject to

death by stoning even if they did not actually worship the idol or false god but merely consented to do so, by saying: "Yes, we shall go and worship" (Babli, Sanhedrin 61b; Maimonides, *Hilkot Abodah Zarah* V : 5).

Now, a novel question arose among the Jewish jurists, evidently after the advent of the Nazarene (Baraita, quoted in Sanhedrin 61a): "If a person sets himself up as a god, and says: 'Come and worship me,' then according to the view of Rabbi Meir, he is liable (as an enticer); but according to Rabbi Judah, he is not liable." The Gemara then remarks, regarding this controversy between the tannaim (Sanhedrin 61a): "If the people actually worshiped him, all authorities agree that he is liable as an enticer (and such is the prevailing law, Maimonides, *Hilkot Abodah Zarah* V : 5); and the controversy between Rabbi Meir and Rabbi Judah only refers to the case where the enticed have not worshiped him in fact, but they simply consented, and said, 'Yes, we will worship you.' Rabbi Meir then holds that the enticed were sincere in their statement and really meant to worship the enticer, and therefore the enticer is liable (in accordance with the law of *mesith* that mere consent of the enticed to worship him suffices). But Rabbi Judah holds that in this case consent alone is not sufficient, because they were only jocular about the whole affair and made sport of the enticer, for they thought, 'Why is he different than we are (to set himself up as a god; Rashi ad Sanhedrin 61b, top; s. v. *ma' shena ihu*)?' " Therefore in this particular instance actual worship on the part of the enticed is necessary. Maimonides (*l. c.*) holds with the view of Rabbi Judah.

There can be no doubt that this question of law arose among the Jewish jurists only after the advent of Christianity. Before this the Jewish lawmakers took no cognizance of any such possible claim. It never occurred to them that any mortal, whether ruler, king or ordinary citizen, would set himself up as a god and tell people to worship him. It was usual for pagan kings from time immemorial to claim divinity for themselves, such as the Babylonians, the Egyptians, and the Romans, but never among the Jews.

(3). Now let us apply these rules of law to the Nazarene and ascertain whether he could have been convicted by a Jewish court of law of the capital offense of being a *mesith*.

The Gospels, according to the interpretation of the Church, prove beyond a shadow of a doubt that the Nazarene in the presence of large numbers of people, set himself up as a deity. Five times, it is recorded, he was addressed as the "Son of God," and he did not refuse to accept the title: by Satan (Matthew IV : 3; Luke IV : 3); by devils (Luke IV : 41); by a man who had devils (Luke VIII : 28); by his disciples (Matthew XIV : 33); by Martha (John XI : 27); and when on another occasion (Matthew XVI : 13-19), he asked the opinion of his disciples, Peter said: "Thou art the Christ, the Son of the living God." In this last instance the Nazarene was extremely pleased, and he said: "Blessed art thou, Simon Bar-Jona: for flesh and blood hath not revealed it unto thee, but my Father which is in heaven." Here the Nazarene expressly admitted that he was "the Son of God."

He again declared himself "the Son of God" to the blind man whom he cured (John IX : 35-37), and to the Jews who wanted to kill him (John X : 36).

On many other occasions Jesus similarly described himself as a deity, without actually using the phrase "Son of God," by assuming divine prerogatives in various forms:

1. He has power to forgive sins (Matthew IX : 2-6; Mark II : 5-7; Luke V : 20-21).

2. God has delivered everything into his hands (Matthew XI : 27; Luke X : 22; John III : 35); and he possesses all things that the Father has (John XVI : 15).

3. He has control over the angels (Matthew XIII : 41-42; XXIV : 31; Mark XIII : 26-27; Luke XII : 8-9).

4. He will send his angels to gather together his elect (Matthew XXIV : 31; XXV : 32).

5. He gives Peter the keys of the kingdom of heaven, and bestows divine power upon him (Matthew XVI : 19).

6. He is in the midst of them that gather in his name (Matthew XVIII : 20), in the style of God (Ex. XXV : 8; XXIX : 45; Num. XXXV : 34; I Kings VI : 13).

7. He will reward for good deeds and punish for evil ones (Matthew XIII : 41-42; XVI : 27; XIX : 27-28; XXV : 32-33.)

8. One should be willing to lose one's life for his sake (Matthew X : 39; XVI : 25; Mark VIII : 35; Luke IX : 24).

9. He is equal with God (John V : 17-21, 26).

10. He has power over his own life (John X : 17-18).

11. In godly fashion, he delegates to his disciples supernatural power (Matthew X : 1; Mark III : 15; Luke IX : 1; X : 19).

12. He says (Matthew XXIII : 34): "I send prophets," etc. Henry ("Commentary on the Bible") remarks on this verse: "It is Christ that sends them; *I send*. By this he avows himself to be God, having power to gift and commission prophets."

13. He will come riding in the clouds of heaven (Matthew XXIV : 30; Mark XIII : 26; Luke XXI : 27), in the manner of God (Psalms CIV : 3).

14. He claims to be the mediator between God and mankind (Matthew X : 32-33), and he says: "I am the way, the truth, and the life: no man cometh unto the Father, but by me" (John XIV : 6); and again: "Without me ye can do nothing" (John XV : 5).

15. He says: "That whatsoever ye shall ask of the Father in my name, he may give it to you" (John XV : 16; XVI : 23-24).

16. He is eternal and pre-existent: he was before Abraham (John VIII : 58-59); he had glory with God before the world was (John XVII : 5); he was loved by God before the foundation of the world (John XVII : 24); and he was David's lord in heaven before he came to earth (Matthew XXII : 45); and A. J. McLean (Hastings, "Dictionary of the Bible," Art. "God, 8, c") comments: "This is the force of the argument."

17. The Father will send the Comforter, the Holy Spirit, in his name (John XIV : 26); or, he himself will send the Comforter (John XV : 26; XVI : 7).

18. All power is given him in heaven and on earth (Mat-

thew XXVIII : 18).

19. God has given him power over all flesh to give eternal life (John XVII : 2).

20. He is the prince of the world (John XVI : 11).

21. He will sit upon the throne of his glory surrounded by all holy angels (Matthew XV : 31; John I : 51).

22. He will judge all nations (Matthew XXV : 32 ff.).

23. Not God but he judges all men (John V : 22, 27).

24. He came out of his Father (John XVI : 27-28).

25. He says that he is one with his Father ("I. e. one essence," A. J. McLean, Hastings, "Dictionary of the Bible," Art. "God, 8, c") (John X : 30; XVII : 11, 22).

26. He claims that he who sees him sees his Father; that he is in the Father, and the Father is in him (John XIV : 9-11; XVII : 21).

Any one of the many claims alleged to have been made by the Nazarene suffices to prove beyond any reasonable doubt that he claimed to be a divinity, a god. And these claims have been so interpreted by the Church, invariably and continually. Of course, it would be impossible to quote all commentators and Christian theologians to prove this point. Suffice it to quote one of the authorities who represent the thought of the Christian clergy.

Matthew Henry ("A Commentary on the Holy Bible"), in interpreting one of the citations given above, says (on Matthew XI : 27): "Christ, as God, is equal in power and in glory with the Father; but as a Mediator he receives his power and glory from his Father; has *all judgment committed to him*. He is authorized to settle a new covenant between God and men, and to offer peace and happiness to the apostate world, upon such terms as he should think fit: he was sanctified and sealed to be Plenipotentiary, to concert and establish this great affair. In order to do this, he has *all power both in heaven and on earth* (Mt. XXVIII : 18); *power over all flesh* (Jn. XVII : 2; *authority to execute judgment* (Jn. V : 22, 27)."

Commenting on John V : 18, the same author says: "Yet

it was unjustly imputed to him as an offense, that he equaled himself with God, for he was, and is, God equal with the Father (Phil. II : 6)." (See also A. J. McLean, Hastings "Dictionary of the Bible," Art. "God," and John, notes 82, 294, *infra*).

Thus the Jews, who had believed in the fundamental religious concept that God was invisible and indivisible and that He was wholly spiritual, could not have considered the Nazarene's declaration that he was the "Son of God" in the sense that he was god himself, as anything but idolatrous. He was setting himself up as an idol to be worshiped by the people. In declaring himself a "Son of God" in the trinitarian sense, and by presenting himself in the flesh as god, he was attempting to destroy the very foundation of the Jewish religion based on the theory that God is ONE. His claim to godhood was, in Jewish eyes, false and idolatrous per se, without further proof.

According to the Jewish law and concept of the Deity, if one lays claim to divinity, the *onus probandi* lies on the claimant, that is, he must prove to the satisfaction of the court that he really is a divinity. It is not incumbent upon the Jewish court to prove that he is not such a deity, because it is presumed in law that no one in the flesh can be a deity, and therefore the contention of the claimant is patently false.

It is thus laid down by the Jewish jurists (Yerushalmi, Taanit II, Halakah 2, end): "If a man say to thee, 'I am a god,' he lies; [if he says], 'I am the son of man,' [i. e. claiming perfection for himself] in the end people will laugh at him; [and if he says,] 'I will go up to heaven,' he saith, but he shall not fulfil it."

The only evidence produced by the writers of the Gospels to prove that the Nazarene was God, or the "Son of God," are the legendary tales and miracles that were woven about him years after the alleged crucifixion. No positive proofs have ever been submitted to prove their contention. They state, of course, that he himself claimed such divinity, but that can hardly be considered conclusive evidence.

Permit me to quote a Christian author, a recognized devout Christian, regarding this point of law. Rosadi ("Life of Jesus" p. 192) says: "If Jesus was not really the Son of God, he might nevertheless have declared himself to be so. This does not in any way suffice to show that he was."

On the other hand, there is positive proof that he was not a deity, because the Gospel writers tell us that he was born of woman, and abode on earth for thirty or thirty-three years, suffering want and humiliation. He suffered human pains, and he complained of his suffering. He was put on trial by a human court and convicted. He was spat at, and ridiculed, and slapped in the face by pagan Roman soldiers. He was scourged and finally crucified. His behavior, both at Gethsemane and at the crucifixion, was that of an ordinary, frail human being.

Consequently, it has been proven beyond a shadow of a doubt that there existed the first element necessary to convict the Nazarene on the charge of being a *mesith*: he had falsely set himself up as a god to be worshiped.

The second essential element remains to be proven: the act of enticement itself. Evidence is abundant in the Gospels that on many occasions the Nazarene lured people to believe in him, to serve him, and to pray to him. The Gospel-writers record that the Nazarene said:

1. "Whatever ye shall ask in my name, that I will do . . . If ye shall ask anything in my name, I will do it" (John XIV : 13-14).

2. "Come to me . . . and I will give you rest; take *my yoke* (Italics mine) upon you, and learn of me," etc. (Matthew XI : 28-30).

3. "He that believeth on the son has everlasting life; and he that believeth not," etc. (John III : 36; VI : 35, 40, 47).

4. He told people to believe in him (John IX : 35-38; XI : 25-27; XII : 36; XIV : 1).

5. He told people to follow him (Matthew XVI : 24; Mark VIII : 34; Luke IX : 23; John VIII : 12).

6. He told people that if they served him, they would

be honored by his Father (John XII : 26). Webster's definition of "serve" ("New International Dictionary")—Transitive: 1. Specific, in a religious sense, to obey and worship.

7. He even threatened those who would not believe the Son, saying (John III : 36): "He that believeth not the Son shall not see life; but the wrath of God abideth on him."

Now, it has been established that not only did the Nazarene claim to be a divinity, which in itself would imply enticement to worship, but that he actually commanded them, and even threatened them with dire punishment if they refused to worship him.

Hence, it becomes essential to establish the third element necessary to prove that Jesus was a *mesith*, in order that we may comply even with the view of Rabbi Judah, namely, that Jesus was actually worshiped by people; and these are the facts as related in the Gospels:

1. He was prayed to (Matthew XV : 22, 25; XVII : 15; XX : 30, 31; Luke XVIII : 38, 39).

2. He was "worshiped" (definition of 'worship' by Webster's "New International Dictionary," Transitive, v. 2, "To pay divine honors to") by the disciples that were in the ship (Matthew XIV : 33); by the woman of Canaan (Matthew XV : 25); by a lunatic's father (Matthew XVII : 14); by those who had unclean spirits (Mark III : 11); by a man with an unclean spirit (Mark V : 6); by some man who was running to him for information (Mark X : 17); by the blind man who was healed (John IX : 38). Henry ("A Commentary on the Holy Bible," a. l.) remarks: "He paid his homage to him; he gave him divine honor and worshiped him as the Son of God manifested in the flesh."

Before we sum up the evidence produced to support the charge against the Nazarene as a *mesith*, it is worth while to cite a principle laid down by the Nazarene himself, and also to mention a certain incident related in the Acts, with reference to the object of divine homage.

When Satan took the Nazarene on a trip into the wilderness (Matthew IV : 1-10), thence into the Holy City, thence into a high mountain where he tempted him by promising

him all the kingdoms of the world if he would only consent to fall down and worship him, the Nazarene declined, quoting a Biblical verse: "Thou shalt worship the Lord thy God, and Him only shalt thou serve." (Of course, as was to be expected, the quotation is incorrectly given, as is invariably the case in the Gospels. There is no text in the Scripture written as recorded in Matthew. The only Biblical texts similar to the one quoted by Jesus are those of Deut. VI : 13 and X : 20. Both of these texts read: "The Lord thy God shalt thou fear, and Him shalt thou worship." This is still another example of how the Evangelists, either through ignorance or carelessness, make their lord misquote Biblical texts).

The Nazarene was clear and emphatic in stating that no one else was to be worshiped except the God in heaven as ordained in the Law of Moses. It is extremely difficult to reconcile this declaration with his own subsequent claims. There are, moreover, many other instances in the New Testament (Matthew XXII : 37; XII : 30; Luke X : 27-28) where the Nazarene declared it as the foremost principle to obey the Biblical text (Deut. VI : 5; X : 12; XXX : 6): "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind." (Again, the Matthean Gospel puts in the mouth of Jesus a wrong Biblical quotation. None of the texts in Deuteronomy contains the phrase "with all thy mind." It is hardly conceivable that the "Son" was not familiar with his Father's Scriptures).

It is related (Acts X : 25-26) that Cornelius upon meeting Peter, fell down at his feet and worshiped him. But Peter was displeased with the homage paid him, and he said: "Stand up; I myself also am a man."

From this incident it is clear that the Nazarene, by tacitly accepting the divine homage paid him by his disciples and others (p. 432, *supra*), actually offered himself as a divine being to be worshiped.

Thus it has been proven conclusively, if we accept the testimony of the witnesses for the Prosecution: (1) that the Nazarene declared time and again that he was a god; (2)

that he demanded that people consider him as such and worship him, pay him divine homage; and (3) that people, accordingly, actually prayed to him and worshiped him. If these three facts had been established in any Jewish court of law having jurisdiction over capital cases (and this could have been proven without difficulty, since all these incidents are recorded to have taken place before large numbers of people), the Nazarene would have been found guilty of the capital offense of being a *mesith*, enticing people to embrace idolatry, and would have been punished with death by stoning. His followers, those who actually worshiped him, would have been convicted as guilty of the capital offense of idolatry, and would likewise have been punished with death by stoning (Deut. XIII : 7-12; XVII : 2-5; Mishnah, Sanhedrin VII : 4; Maimonides, *Hilkot Abodah Zarah* II : 6; V : 5).

Ernst Renan ("Life of Jesus," Translation by Howard Willford Bell, Chap. XXIV) maintains that the Nazarene was convicted by the Sanhedrin of being a *mesith*, although no such claim is made by any of the Gospel writers who are the sole witnesses. Matthew (XXVI : 65-66) and Mark (XIV : 63-64), the only Evangelists who do mention the offense for which the Nazarene was supposed to have been convicted, expressly state that it was blasphemy.

Woeful ignorance of the Jewish system of jurisprudence is displayed by Renan. He confuses the two widely divergent capital offenses, that of the blasphemer, *megadeph*, and that of the enticer, *mesith*, ("corrupter," as he calls it), and uses them interchangeably as if they were one and the same offense. A like ignorance is displayed by Stapfer ("Palestine in the Time of Christ," p. 109), who makes the flagrantly false accusation that the procedure adopted by the Jewish jurists in the case of the *mesith* was the use of "deceit and violence," and he cites the procedure mentioned in the Mishnah (Sanhedrin VII : 10) of having two witnesses in concealment to prove his contention. He either failed to understand the procedure or was motivated by malice to distort the simple truth.

Since it was so easy to have convicted the Nazarene as a

mesith, and so impossible to have convicted him upon a charge of blasphemy, one can only explain the ridiculous procedure recorded in the Gospels as the product of the ignorance of the Apostles with regard to Jewish law. Otherwise, surely, they would have resorted to a narrative more in consonance with that law, and not have stated, as they did, that the Nazarene was charged with blasphemy.

But Renan and Stapfer and other Christian apologists, confronted with the contradictions between the Gospels and the Jewish law, blithely disregard the actual text and wrench into conformity what they think is Jewish law. In that process they attempt to explain the treachery of Judas Iscariot—apparently meaningless otherwise—as a part of the normal procedure of trying and convicting a *mesith*, as is provided for in Mishnah, Sanhedrin VII : 10.

Let us examine this Mishnah text cited by Renan and Stapfer. It reads: "They may not place witnesses in hiding against any that become liable to the death-penalties provided for in the Mosaic Law, save in this case [of the *mesith*] alone. If he enticed two men, and they are such as are qualified to bear witness against him, they bring him to a court of law and he is stoned [when found guilty]. If he spoke to one only, the latter may reply to him: 'I have companions who are so minded'; and if the offender is crafty and does not want to commit himself before them, witnesses may be placed in hiding behind a wall, and he [the original witness] says to the instigator: 'Repeat what thou didst say to me in private'; if he repeats it, he may say to him: 'How shall we leave our God that is in heaven and go and worship wood and stone?' If the instigator retracted, it shall be well with him; but if he said: 'This is our duty, and it is seemly so to do,' then they that are behind the wall bring him to court and he is stoned [when found guilty of the charge]."

It is difficult to understand how Renan and Stapfer can make the actions of Judas Iscariot fit this procedure. Where is it mentioned in the Gospels, our only source of information, that two witnesses were kept in hiding? When were the statements made by the Nazarene to Judas repeated at

the latter's urging? When did Judas lure the Nazarene away from the rest of the disciples to meet the hidden witnesses? The whole alleged affair, the betrayal, the arrest, the trial by the Jewish court, lasted only a few hours, and at no time was the Nazarene away from the scene described in the Gospels. Furthermore, the Nazarene had already openly declared his doctrine before large numbers of people, rendering the entire procedure outlined in the Mishnah unnecessary. Above all, why did the high priest Caiaphas, the alleged President of the Sanhedrin, declare the Nazarene guilty of blasphemy and not of the offense of being a *mesith*, if such was his intention as these authors would have it?

But has it not been the destiny of the Jew throughout the ages to be falsely accused by people with little knowledge and much malice?

Q. Dr. Ben Joseph, what was the second count upon which, in your opinion, the Nazarene could have been convicted by a Jewish court of law? A. He could have certainly been convicted of the crime of "false prophecy."

Q. Can you prove that, Dr. Ben Joseph? A. Definitely, sir. First permit me to explain the law, and then we shall show its application to the case of the Nazarene.

In the Mosaic Law, the offense of false prophecy is twice defined in Deuteronomy. The first text (Deut. XIII : 2-6) reads: "If there arise in the midst of thee a prophet, or a dreamer of dreams—and he give thee a sign or a wonder, and the sign or the wonder come to pass, whereof he spoke unto thee—saying: 'Let us go after other gods, which thou hast not known, and let us serve them'; thou shalt not hearken to the words of that prophet, or unto that dreamer of dreams; for the Lord thy God putteth you to proof, to know whether ye do love the Lord thy God with all your heart and with all your soul. After the Lord your God shall ye walk, and Him shall ye fear, and His commandments shall ye keep, and unto Him shall ye cleave. And that prophet, or that dreamer of dreams, shall be put to death because he hath spoken perversion against the Lord your God, who brought you out of the land of Egypt, and redeemed thee out of the

house of bondage, to draw thee aside out of the way which the Lord thy God commanded thee to walk in. So shalt thou put away the evil from the midst of thee."

The second Biblical text (Deut. XVIII : 20-22) reads: "But the prophet that shall speak a word presumptuously in My name, which I have not commanded him to speak, or that shall speak in the name of other gods, the same prophet shall die. And if thou say in thy heart: 'How shall we know the word which the Lord hath not spoken?' When a prophet speaketh in the name of the Lord, if the thing follow not, nor come to pass, that is the thing which the Lord hath not spoken; the prophet hath spoken it presumptuously, thou shalt not be afraid of him."

According to the Mosaic Law, then, a false prophet can be detected: (a) either when he induces people to embrace idolatry, even in the event his prophecies do come to pass (Maimonides, *Hilkot Yesode ha-Torah* IX : 5); or (b) when he does not speak perversion, but his prophecies are not fulfilled (Maimonides, *Hilkot Yesode ha-Torah* X : 1).

The punishment meted out in both Biblical texts for the false prophet is death. The first text (verse 6) says that this prophet "shall be put to death." The second text reads (verse 20), "that prophet shall die." Neither of these texts discloses by what method of capital punishment such an offender is to be executed.

In Talmudic jurisprudence, the false prophet is not only one who induces people to embrace idolatry, but also "he who prophesies to uproot a law of the Torah is liable to capital punishment" (Baraita, quoted in Babli, Sanhedrin 90a). Regarding this, Maimonides (*Hilkot Yesode ha-Torah* IX : 1) holds: "A law expressly provided for in the Torah will remain in force forever; it is not subject to change, diminution, or addition; for it is written [Deut. XIII : 1]: 'All this word that I command you, that shall ye observe to do; thou shalt not add thereto, nor diminish from it.' And it is written again [Deut. XXIX : 28]: 'The secret things belong unto the Lord our God; but the things that are revealed belong to us and to our children for ever, that we may do all the

words of this law.' From this we can infer that we are obligated to abide by the laws of the Torah for ever. And it is written again [Lev. III : 17; X : 9; XXIII : 14, 31, 41, a. fr.]: 'An ordinance for ever throughout your generations'; and again [Deut. XXX : 11-12]: 'For this commandment . . . is not in heaven,' etc. From the above it can be inferred that no prophet is permitted to enact a new law. Therefore, should any man arise, be he a Jew or a non-Jew, who will perform a miracle and say that God had sent him to add a commandment, or to abrogate a commandment, or he will put on one of the commandments an interpretation which did not come down to us by tradition from Moses, or if he will contend that the commandments which the Israelites were commanded to do are not to be observed for ever because they were commandments ordained for the time being only such a one is a false prophet, because he came to deny the prophecy of Moses. He is punished capitally by strangulation, because he presumptuously spoke in the name of God that He did not command him to speak, in as much as He, blessed be His name, had commanded Moses, saying [Deut. XXIX : 28]: 'It is for us and for our children for ever.' And [Num. XXIII : 19]: 'God is not a man, that He should lie.'"

According to the law as laid down in the Talmud (Mishnah, Sanhedrin XI : 1; Maimonides, *Hilkot Sanhedrin* XV : 13), a false prophet is to be punished capitally by strangulation. A general rule is stated in the Talmud (Babli, Sanhedrin 52b, 89b), that wherever the Mosaic Law provides that the offender is to suffer the penalty of death but fails to specify what manner of death he is to suffer, it is inferred to be that of strangulation, for the reason that it is the mildest of the four methods of capital punishment (Babli, Sanhedrin 49b, 50b; Maimonides, *Hilkot Sanhedrin* XIV : 4).

Now let us apply the above rules of law to the Nazarene and ascertain whether or not he could have been convicted by a Jewish court of law as guilty of the capital offense of false prophecy.

There can be no doubt that the Nazarene claimed to be a prophet, one sent by God. The following citations from

the Gospels will substantiate this contention:

1. "I am not come of myself, but he that sent me is true. But I know him: for I am from him, and he hath sent me" (John VII : 28-29); "Neither came I of myself, but he sent me" (John VIII : 42).

2. "But now you seek to kill me, a man that hath told the truth which I have heard of God" (John VIII : 40).

3. "That they may believe that thou hast sent me" (John XI : 42).

4. "That the world may believe that thou hast sent me" (John XVII : 21).

5. "And the word which ye hear is not mine, but the Father's which sent me" (John XIV : 24).

It need now only be shown that the Nazarene proved to be a false prophet in the conception of the Jewish religion and jurisprudence. Hence, evidence will be introduced to show that he proved to be false in accordance with the Biblical as well as the Talmudic law.

(a) He induced people to accept him as a god, when in reality he was a mere mortal of flesh and blood, and born of woman. His contention, according to the Jewish conception of the Deity was patently false, as we have already shown. (See pages 424-431, *supra*). Hence, he was a false prophet in the strictest meaning of the Mosaic Law (Deut. XIII : 2-6), and of the Talmudic law as well (Maimonides, *Hilkot Yesode ha-Torah* IX : 5).

(b) His prophecies did not prove true; they were not fulfilled as prophesied. This is the second proof that he was a false prophet in accordance with the Mosaic Law (Deut. XVIII : 20-22; Maimonides *l. c.*, X : 1).

He told the Sanhedrin, according to the testimony of the first witness for the Prosecution (Matthew XXVI : 64): "Hereafter shall ye see the Son of Man sitting on the right hand of power, and coming in the clouds of heaven." All Christian Biblical commentators agree that the expression "hereafter" has reference to the then future.⁴⁶ But it is well known that the members of the Sanhedrin never did see him in such a divine state.

He prophesied (Matthew XVI : 28; Mark IX : 1; XIII : 30; Luke IX : 27) that he would come into the kingdom of God during the lifetime of his contemporaries, and this prophecy was never fulfilled. There are no signs of its fulfilment, of the existence of the kingdom of heaven upon earth, to this very day.

He prophesied (Matthew XXIV : 29-31; Luke XXI : 25-33) that in those days the sun would be darkened, and the moon would not give light, etc., etc., and the son of man would come in clouds, etc., etc.; and that all these portents would occur before "this generation shall pass" (Matthew XXIV : 34; Luke XXI : 32), that is within the lifetime of those who listened to his prophecy. But this prophecy, too, has remained unfulfilled to this very day.

There is a third proof that the Nazarene was a false prophet. On three different occasions, he publicly abrogated three Mosaic laws:

(a). He justified the profanation of the Sabbath, and in fact, advocated the abrogation of that Jewish institution (Matthew XII : 1-8; Mark II : 23-28; Luke VI : 1-5). The law pertaining to the observance of the Sabbath is one of the most sacred of the Mosaic laws and is repeated many times in the Pentateuch (Gen. II : 3; Ex. XX : 8-11; XXXI : 12-17; Lev. XIX : 3, XXIII : 3; Num. XV : 32-36; Deut. V : 12-14). The prophets, too, laid great stress on the observance of the Sabbath (Isaiah LVI : 2, 4, 6; Neh. XIII : 15-22).

(b). He openly abrogated the Mosaic law (Lev. XI, XX : 25-26) which forbids the eating of forbidden foods (Matthew XV : 11-12; Mark VII : 14-19).

(c). He openly abrogated the law of divorce (Matthew V : 31-32; Mark X : 2-12; Luke XVI : 18), and declared that the Almighty permitted divorce only as a temporary measure "for the hardness of your heart" (Mark X : 5).

Thus the Nazarene could have been found guilty of the offense of false prophecy, according to all principles of Jewish law, Biblical and Talmudic, the punishment for which was death by strangulation (Mishnah, Sanhedrin XI : 1; Maimonides, *Hilkot Sanhedrin* XV : 13).

Q. Dr. Ben Joseph, you mentioned a third count upon which the Nazarene could have been indicted by a Jewish court of law. Please explain the nature of this count. A. Yes, sir, that of the "profanation of the Sabbath," which in Jewish law constitutes a capital offense.

It is expressly provided for in the Mosaic Law that he who performs any manner of work on the Sabbath day is guilty of a capital offense, punishable by stoning (Num. XV : 32-36). Such, of course, is also the Talmudic law (Mishnah, Sanhedrin VII : 4).

The Talmud (Mishnah, Shabbat VII : 2) enumerates thirty-nine classes of work which may not be performed on the Sabbath. One of the thirty-nine classes of work is "kneading."

Included in the class of "kneading" is the mixing of dirt with moisture on the Sabbath (Baraita, quoted in Babli, Shabbat 18a; Maimonides, *Hilkot Shabbat* VIII : 16).

The fourth witness for the Prosecution testified in this Court (John IX : 1-6, 14) that the Nazarene, wishing to heal a blind man on the Sabbath, spat on the ground, and made clay of the spittle, and anointed the eyes of the blind man. By this act alone he profaned the Sabbath, and could have been indicted, convicted, and condemned to death by stoning.

Q. Dr. Ben Joseph, you have proven to us that the Nazarene could have been convicted and condemned to death on any or all of three different counts, according to the principles of Jewish law. Why, then, in your opinion, did the Jewish tribunal seek to convict him of blasphemy, a charge which could not be sustained on legal principles? Why did the Jewish jurists, the erudite scribes and Pharisees, according to the Gospels (Matthew XIX : 3; Mark XII : 13; Luke XI : 53-54; XX : 20), have to provoke the Nazarene and urge him to speak of many things, and seek to trap him into committing himself by his word? A. I am thoroughly convinced, sir, that this was not an error on the part of the Jewish jurists. For them to have acted so stupidly is inconceivable. The entire nonsensical procedure could only have occurred in the perverse, ignorant, and malicious imagination

of those who pretended to record this tragically ridiculous trial.

A learned Christian author, at a loss to explain why Matthew failed to mention the fact, stated by Mark, that the testimony offered by the witnesses against the Nazarene did not tally, arrives at the conclusion that someone falsified the Gospel text by making additions for the purpose of accusing the Sanhedrin of having convicted Jesus on false grounds.

McNeile ("Matthew" XXVI : 63) states: "Mark's statement (V : 59), that the evidence regarding the alleged utterance about the Temple did not tally, would hardly have been omitted by Matthew, if he had known it; it was probably a later addition, to avoid the idea that a real charge had been found and proven."

Q. Dr. Ben Joseph, you have heard the three Synoptic witnesses testify (Matthew XXVI : 65; Mark XIV : 63; Luke XXII : 71) that the high priest told the members of the court there was no need for any further evidence. Can this statement be sustained on the rules of evidence as then practiced in the Jewish courts of law? A. No, sir. In the first place, as I have pointed out before, according to Jewish law a culprit could not be convicted on the strength of his own confession without the corroboration of at least two eye-witnesses.

Secondly, the Nazarene could not have been convicted of a capital offense merely on the strength of the utterances made by him in open court. There is a well-established rule of law in the Jewish system of jurisprudence that when a criminal act is committed in the presence of the members of the court, they become disqualified from acting in a judicial capacity to try his case. Some of their members may appear as prosecuting witnesses, according to the view of Rabbi Tarphon, but the charges must be preferred before another tribunal, because being eyewitnesses to the commission of the crime, they may neglect to find the proper defense for him. According to the opinion of Rabbi Akiba, some of their members may appear as prosecuting witnesses, while the others may act in a judicial capacity (Babli, Baba Kamma 90b).

Maimonides (*Hilkot Edut* V : 8) decides in accordance with the opinion of Rabbi Tarphon, and he lays down the law that no eyewitness may act in a judicial capacity even in civil matters.

Q. Now, Dr. Ben Joseph, you have heard the witnesses testify (Matthew XXVI : 66; Mark XIV : 64) that all the members of the court unanimously voted for conviction. Was this decision rendered by the Sanhedrin in conformity with the principles of Jewish law? A. Decidedly not, sir. The entire procedure conflicted with the rules prescribed by Talmudic jurisprudence. The following rules of law and procedure are laid down in the Mishnah regarding the voting of judges and the rendering of a decision of guilt by the Sanhedrin.

(1). When the testimony is completed, and the witnesses have already been examined and cross-examined as required by law, and the court is ready to take a vote on the guilt or innocence of the accused, then if the case involves capital punishment, the opening argument by the judges must be for acquittal and not for conviction (Mishnah, Sanhedrin IV : 1; Maimonides, *Hilkot Sanhedrin* X : 7).

(2). In cases involving capital punishment, the merits of the case must be argued in the daytime, and the verdict must likewise be reached in the daytime (Mishnah, Sanhedrin IV : 1; Maimonides, *Hilkot Sanhedrin* XI : 1).

(3). In capital cases a verdict of acquittal may be reached the same day (on which the trial is held), but a verdict of conviction may not be reached until the following day, for in pondering over the matter during the night, the judges may find arguments in favor of acquittal (Mishnah, Sanhedrin IV : 1; Maimonides, *Hilkot Sanhedrin*, XI : 1; Rashi ad Sanhedrin 32a).

(4). If the judges are unable to reach a decision of acquittal, the trial is to be adjourned until the following day. The judges are to return to their homes in pairs, so that they may discuss the merits of the case with one another. They must eat little and drink no wine the whole day. After a full night's discussion, they return to court early the next morn-

ing. Those who favored acquittal on the previous day say: "I declared him innocent, and I still declare him innocent"; and those who favored conviction say: "I declared him guilty, and I still declare him guilty." Those who had favored conviction may now declare for acquittal, but those who had favored acquittal may not alter their opinion. If any judge should err in voting, the two clerks of the court must remind him of the fact. If they all have found the accused innocent, they acquit him; otherwise they take the case to a vote (Mishnah, Sanhedrin V : 5; Maimonides, *Hilkot Sanhedrin* XII : 3).

(5). In capital cases a verdict of acquittal may be reached by a majority of one vote, and a verdict of conviction may be reached only by a majority of no less than two votes (Mishnah, Sanhedrin I : 6; IV : 5; V : 5); Maimonides, *Hilkot Sanhedrin* VIII : 1).

(6). A unanimous decision of conviction by the Sanhedrin is illegal and invalid and the defendant is set free (Sanhedrin 17a; Maimonides, *Hilkot Sanhedrin* IX : 1).

According to the report of the present case by these Evangelists, not one of the above rules of law and procedure was observed by the court during the entire trial. (1) The case was not opened with arguments for the acquittal of the Nazarene, but for his condemnation. (2) The merits of the case were argued and a verdict was reached during the night. (3) The verdict of conviction was reached on the same day the trial was held, and there was no adjournment.⁴⁷ (4) The judges did not go to their homes, but remained at court all night until the verdict of guilt was reached. They did not vote singly giving the clerks of the court an opportunity to record their opinions, but they voted as a group. (5) He was found guilty by a unanimous decision of the Sanhedrin.

Q. In your opinion, Dr. Ben Joseph, judging from the testimony of the witnesses for the Prosecution, did they wish to convey the thought that the trial of Jesus took place during the night or in the morning? A. Some authors (William J. Patterson, Hastings "Dictionary of the Bible," art. "Jesus Christ," 15, 1; Klausner, "Yishu ha-Notzri," pp. 362, 370;

and others) maintain that the real trial of Jesus by the Jewish court of law took place in the early morning, and that the proceedings reported to have been held during the night (Matthew XXVI : 57-66; Mark XIV : 53-64) were merely in the nature of a preliminary investigation. They are supported in their view by the third Synoptist (Luke XXII : 66-71) who records proceedings held by the Jewish court in the morning only, and he makes no mention of a trial held at night (Luke XXII : 54, et seq.).

They offer this explanation in order to overcome the objection raised by most commentators, that according to Jewish law no court could hold sessions at night. If this were the only incorrect statement made by the Evangelists with reference to the conduct of the trial by the Sanhedrists, and if this were the only point of law mentioned in the Gospel records which does not conform with the established rules of Jewish law and Talmudic jurisprudence, then, perhaps, it would be worth one's while to misinterpret the Gospel text to effect a reconciliation. But whereas almost every point of law and rule of procedure mentioned by the Evangelists is at variance with the rules of the Jewish system of jurisprudence, this far-fetched explanation of the Gospel texts will certainly not provide the necessary solution to the problem as a whole.

Besides, such an explanation is untenable because it can be supported neither by the Gospel texts nor by the system of Jewish jurisprudence. These authors not only are compelled to misinterpret the texts of the Gospels, but they must create a false procedure—a preliminary examination—in Jewish law, in order to overcome certain discrepancies and set aright a false statement made by the Evangelists, namely, that an actual trial was held by a Jewish court of law at night.

Now let us first examine the Matthean text with reference to the proceedings that were held by the Jewish authorities in the morning. It reads (Matthew XXVII : 1): "All the chief priests and elders of the people took counsel against Jesus how to put him to death." This is all that this Evangelist has to say of the legal procedure at this court session.

This meagre description is certainly not intended by the writer of the Gospel to signify that a legal trial took place that morning. In the alleged after-midnight proceedings (Matthew XXVI : 57-66), however, there was at least some semblance of a trial: there were the hearing of the testimony of witnesses, an examination of the accused, a presiding justice asking for a vote on the innocence or guilt of the accused.

The Marcan text reads with reference to the morning session (Mark XV : 1): "The chief priests held a consultation with the elders and scribes and the whole council, and bound Jesus, and carried him away, and delivered him to Pilate." This brief note by the writer of this Gospel certainly cannot be interpreted to describe the procedure of a trial. But when reporting the alleged night proceedings, this Evangelist states (Mark XIV : 53-64) that witnesses were examined; the accused was interrogated; the presiding judge asked for a vote; the accused made a confession; and a decision was reached, "they all condemned him to be guilty of death" (verse 64). In the morning all that took place was a "consultation," an informal gathering to decide upon a course of action, how to execute the sentence that had already been handed down during the night.

Gould ("Commentary on St. Mark" XV : 1) says: "It is evident that their formal procedure was the night before, resulting in the condemnation of Jesus. On the contrary, this morning meeting was an informal gathering to decide on a plan of action before Pilate." Husband ("The Prosecution of Jesus" pp. 201-202) argues that if at the morning session the real trial of the Nazarene took place, "then the procedure taken by the high priest at night was utterly senseless and superfluous: he asked for an opinion or a vote and the Sanhedrists expressed their opinion on the case before them, voting unanimously for conviction" (Matthew XXVI : 66; Mark XIV : 64).

Furthermore, the contention that only a preliminary investigation was made at the night session of the court, cannot be sustained from the point of view of Jewish jurisprudence. In the first place, a preliminary investigation, equiva-

lent to our modern form of indictment, was unknown to the Jewish system of law and procedure. There is no mention of any such procedure in Jewish courts of law in the entire Biblical or Talmudic literature. The only case in which the court made a preliminary investigation was that of the man-slayer when he sought asylum in one of the cities of refuge to determine whether or not he was entitled to such protection (Joshua XX : 1-4).

Secondly, this contention would not in any way tend to prove that the Jewish judges did not violate the law, as is claimed by these authors. For, according to the Jewish system of law any procedure, any manner of legal proceedings is forbidden to take place at night, even the taking of testimony (Maimonides, *Hilkot Sanhedrin* III : 4). And no one can deny that the Sanhedrists did take the testimony of witnesses during the night proceedings supposed to have been held in the palace of the high priest Caiaphas (Matthew XXVI : 59-63; Mark XIV : 55-61).

Q. The witnesses for the Prosecution testified (Matthew XXVII : 22; Mark XV : 12-13) that when the Roman Procurator, Pontius Pilate, asked the Jews and their leaders what he should do with Jesus, they all said, "crucify him." Was this answer by the Jewish leaders in keeping with the Jewish law? A. No, sir. If the Jewish leaders really had demanded punishment for the Nazarene, they would have called for that punishment provided for in their own system of law. Blasphemy, according to the Biblical law (Lev. XXIV : 14, 23) as well as according to the Talmudic law (Mishnah, Sanhedrin VII : 4; Maimonides, *Hilkot Sanhedrin* XV : 10; *Hilkot Abodah Zarah* II : 6), is punishable by stoning and not by crucifixion. It should be remembered that the punishment of crucifixion was thoroughly detested by the Jews, because it had been so freely used by the Roman officials against the population of Judea (Josephus, "Wars," II, xiv, 9). Even the Sadducees, if given the opportunity, would not have dared to change the punishment expressly stated in the Mosaic Law, if the Nazarene, as the first two witnesses would have it (Matthew XXVI : 65-66; Mark

XIV : 64), had been found guilty by the Sanhedrin of the offense of blasphemy.

But, then the entire procedure, sir, is equally inexplicable. Not only the Jewish law and traditions, but the Roman law and court procedure seem to have been turned into a mockery at this "trial," with a rowdy mob shouting demands and a meek tyrant of a judge pleading to be told what to do with a prisoner before the bar! At such a "trial," I am sure anything might have happened without exciting too much wonder.

Q. Dr. Ben Joseph, you have heard St. Matthew testify in this Court (Matthew XXVII : 34) that "they gave him vinegar to drink mingled with gall." St. Peter testified (Mark XV : 23) that "they gave him to drink wine mingled with myrrh." Was this giving of "vinegar mingled with gall," or "wine mingled with myrrh," in compliance with any known rule of procedure among the Jews at that time? A. Most Christian commentators claim that it was; but their claim is unfounded.

It is recorded in an old Jewish source (Semahot II : 9; Babli, Sanhedrin 43a; a. fr.): "To the one who was going to be executed they gave a cup of wine in which a grain of frankincense was mixed in order to benumb the senses of the victim," and thereby alleviate his sufferings. And it is again stated that "the noble women of Jerusalem were wont to provide this mixture." Some authors (Klausner, "Yishu ha-Notzri," p. 383, and others) even go to the extent of maintaining that the women who followed Jesus out of Jerusalem, as recorded by the third witness (Luke XXIII : 27-31), might have been the very women of nobility who provided the draught for this occasion.

But in the present instance neither the contents nor the object of the drink conformed to the Jewish law. Wine with frankincense is hardly Matthew's vinegar with gall; neither is it Mark's wine with myrrh, which is closer to the prescription in the Mishnah, but, as we shall show, equally different in effect and purpose. It is possible to agree with Slater ("St. Matthew" XXVII : 34) and others that Mat-

thew's "gall" is better than Mark's "myrrh" since it has the doubtful virtue of conforming to a Biblical text, namely, Psalms LXIX : 22. But concocting a drink to conform to a text is hardly worthy of the efforts of a saintly Apostle.

The Roman soldiers always carried with them the *posca*, a sort of sharp drink, which they would often give to the sufferer to stupefy him, according to Stapfer ("Palestine in the Time of Christ," p. 116). If this was the drink that was given the Nazarene by the Roman soldiers, as claimed by some authors, they would have given him the *posca*, and not vinegar mingled with gall as Matthew testified. It is very unlikely that those Roman pagans had purposely brought vinegar mingled with gall merely in order to fulfill the prophecy contained in the Jewish Scripture.

It is maintained by some authorities that the mixture mentioned by Matthew was provided by the Jewish judges. This suggestion cannot be sustained. In the first place, this was a Roman execution and not one carried out by the Jews in conformity with their own prescribed procedure, and the Jews would neither have dared nor would they have been permitted by the Romans to intervene. Secondly, the Jewish judges would have given the victim wine mixed with a grain of frankincense and not vinegar with gall. Thirdly, if this contention is to be sustained, we would have to admit that the Jewish judges must have had mercy in their hearts to have given the Nazarene a medical draught with the intention of alleviating his suffering. Such an admission would not be in harmony with the Christian view that the Jewish jurists were murderers devoid of all sense of justice and humanity.

Now, the second witness St. Peter testified (Mark XV : 22) that they gave the Nazarene wine mingled with myrrh. According to the opinion of Gould ("Commentary on St. Mark," a. l.), "myrrh seems to have been used by the Greek and Roman women to remove its intoxicating quality. But that could not have been its intention here. The common account seems to be that myrrh was used as a stupefying drug, but no evidence for this appears. The wine was evidently used as a stimulant, and the myrrh adds to this effect,

bracing and warming the system."

The "Encyclopedia Britannica" (art. "myrrh") says: "... When taken internally it produces a sensation of warmth extending over the whole abdomen. The appetite is increased and the digestive process much facilitated, especially in cases in which there is weakness and torpidity of the intestinal canal."

It certainly could not be maintained that the Nazarene was given "wine mingled with myrrh" in compliance with the Jewish procedure, since myrrh is not a stupefying drug and could not be substituted for the frankincense which does have a stupefying effect. To comply with their own procedure, the Jews would not have given the victim a draught which acted as a stimulant. Nor is it likely that the Roman soldiers who had so brutally mocked the victim just a few hours ago, should now be moved with pity to give him a stimulant.

Mr. Ben Yehudah: Thank you, Dr. Ben Joseph: That will be all. The witness is yours.

Cross-examination by Mr. Christiani:

Q. Dr. Ben Joseph, you testified that among the Jews hanging was prescribed as a posthumous ignominy only. Is that correct? A. Decidedly, sir.

Q. However, the Mosaic Law does speak of hanging as a method of capital punishment. It is written (Deut. XXI : 22-23): "And if a man have committed a sin worthy of death, and he is put to death, and thou hang him on a tree; his body shall not remain all night upon the tree, but thou shalt surely bury him the same day; for he that is hanged is a reproach to God; that thou defile not the land which the Lord thy God giveth thee for an inheritance." Does not this Scriptural text prove conclusively that among the ancient Hebrews hanging had been used as a method of capital punishment? A. This Scriptural text, sir, is somewhat obscure. At no time does the Scripture ever speak of hanging either as a method of capital punishment, or as a posthumous ignominy. Yet the

Deuteronomic text speaks of it in a matter-of-course manner, as of a procedure well established and commonly known among the Hebrews. In all probability it had been the practice among the pre-Mosaic Hebrews to hang the body of the executed, although no mention is made either expressly or by implication of such a practice.

The Jewish jurists contend that hanging was never used among the Hebrews as a method of capital punishment, and they interpret the Deuteronomic text to mean that hanging took place after the condemned had been put to death by stoning. They further maintain that the posthumous ignominy of hanging applied only to cases where the culprit was convicted either for blaspheming the Name of God or for idolatry, but to no other case (Mishnah, Sanhedrin VI : 4; Maimonides, *Hilkot Sanhedrin* XV : 6).

There is evidence in the Scripture to support their view that hanging was used among the Hebrews as a posthumous ignominy. Joshua practiced this procedure on two occasions, during his conquest of the Canaanitish peoples. After he had utterly destroyed all the inhabitants of Ai, he hanged the king of Ai on a tree until the evening, and "at the going down of the sun Joshua commanded, and they took his carcass down from off the tree" (Josh. VIII : 29). When Joshua had defeated the armies of the five allied kings, "Joshua smote them [the five kings], and put them to death, and hanged them on five trees; and they were hanging upon the trees until the evening. And it came to pass at the time of the going down of the sun, that Joshua commanded, and they took them off the trees" (Josh. X : 26-27). Thus did the conqueror subject the conquered rulers to posthumous ignominy to encourage the brave soldiers.

In my opinion, therefore, this obscure Biblical text does not prove at all that hanging was used among the ancient Hebrews as a method of capital punishment.

Q. Dr. Ben Joseph, you testified that, according to the Jewish system of procedure, a court was not permitted to convene on a Festival. It is almost universally acknowl-

edged that the trial of Jesus by the Jewish Sanhedrin took place on the fourteenth day of Nisan, one day before the Feast of Passover, as averred by the fourth witness, St. John. Would this view conflict with Jewish practice? A. Of course it would. It is expressly prescribed in Jewish law (Mishnah, Sanhedrin IV : 1; Maimonides, *Hilkot Sanhedrin* XI : 2): "Trials involving capital punishment may not be held on the eve of the Sabbath or of a Festival." In this instance, according to the testimony of St. John (John XIX : 31), the Friday in question was the eve of both the Passover and the Sabbath.

Q. You testified that St. Matthew and St. Peter failed in their endeavor to describe a trial before the Great Sanhedrin at Jerusalem, because according to their testimony the Jewish court brushed aside every conceivable rule of law and procedure. But is it not a fact that the Jewish leaders were forced to disregard all the rules of procedure, because they had to complete the whole matter before the Passover, on the following evening? A. Let me quote the opinion of a Christian author regarding this view.

Professor Husband ("Prosecution of Jesus," pp. 203-204) remarks: "The great objection to this form of reasoning is that it fails to explain why they did not begin their operation a day earlier. The meeting at which the Sanhedrin laid their plans occurred either on Tuesday or Wednesday, and no explanation is offered for their failure to make the arrest at least a day earlier than they actually made it. What was the exact effect of the treachery of Judas is not made perfectly clear. But if they had anticipated holding a formal trial, it is inconceivable that they would have postponed making the arrest until Thursday, and forced upon themselves the necessity of resorting to numerous infringements of their own rules of procedure in criminal cases."

Q. But was not this travesty upon justice, committed by the Jewish court, due to the great hatred for and fear of our Lord Jesus Christ? Was it not a fact that they wished to dispose of him as quickly as possible, and was not this the reason for their haste? A. Christian opinion has advanced

many and varied reasons to justify the misstatements made by the Gospel writers. But every honest critic will have to agree that it is folly to state that the Jewish leaders and jurists were so afraid of an individual and hated him so much that they brushed aside all established traditions and tried a serious case in the manner stated by the witnesses for the Prosecution.

In connection with this, allow me to quote again the same candid author.

Husband ("The Prosecution of Jesus," p. 11) very ably remarks: "The proper method of approach, therefore, would be to strive in every possible way to discover some legal system into which the narratives of the Gospels can be made to fit. If this effort results in failure, two courses are open. One may claim that the accounts in the Gospels are incorrect, or one may claim that the trial of the Nazarene in both the Jewish and the Roman courts was contrary to accepted forms and usages. . . It is manifestly improper to accuse the Jewish courts of conducting a serious trial in such a farcical manner that the court completely abrogated its rules of procedure, and to reach this conclusion simply because certain writers, unskilled in reporting legal cases, have narrated a series of incidents which cannot be made to harmonize with the method of conducting a criminal case prescribed by the Jewish law."

Q. It is true, as you stated, Dr. Ben Joseph, that the Jewish law requires that a capital case must be tried in the daytime. But were not the night proceedings held by Caiaphas legalized by the second session held the following morning (Matthew XXVII : 1; Mark XV : 1; Luke XXII : 66-71)?⁴⁸ A. No, sir. According to the Jewish rules of law, a conviction of a capital offense cannot be reached on the same day as the trial (Mishnah, Sanhedrin IV : 1; Maimonides, *Hilkot Sanhedrin* XI : 1). And again it is expressly provided (Mishnah, Sanhedrin V : 5; Maimonides, *Hilkot Sanhedrin* XII : 3): "If they found him innocent, they acquitted him at once; otherwise they left his sentence over until the morrow. In the meantime they went together in

pairs, they ate little, but they used to drink no wine the whole day, and they discussed the matter all night, and early on the morrow they came to the court."

According to this rule of law, at least one night must intervene between the trial and the verdict. By Jewish time reckoning, the trial of the Nazarene by the Sanhedrin and the verdict were reached on the same day, because the Jewish day begins and ends at sunset. Therefore, if the trial was held at night it could not have been legalized by holding another session the following morning. Besides, the first two witnesses for the Prosecution testified (Matthew XXVI : 65; Mark XIV : 64) that the verdict had been reached by the court that same night.⁴⁹

Q. You testified that it was entirely foreign to the system of Jewish jurisprudence to adjure a witness to tell the truth. Is it not a fact, Dr. Ben Joseph, that Joshua adjured Achan to tell the truth? A. Some Christian commentators do quote Joshua to prove the practice of such adjuration among the Hebrews. But no commentator has a license to misinterpret a very simple Biblical text in order to prove that a statement made by the witness for the Prosecution is in harmony with the Jewish practice.

The text in Joshua (VII : 19) reads: "And Joshua said unto Achan: 'My son, give, I pray thee, glory to the Lord, the God of Israel, and make confession unto Him; and tell me now what hast thou done; hide nothing from me.'" It is very simply told, in unmistakable terms, that Joshua did not adjure Achan to tell the truth in the name of the Almighty. All he did ask him was to render glory to His name by confessing his guilt.

Q. But does not this Joshua incident prove that an alleged culprit was executed on the strength of his own admission? Does not this disprove your contention that, according to the rules of law as practiced among the Hebrews, no one could have been convicted of a crime on his own admission? A. Yes, Mr. Christiani, it is true that in Biblical literature there are still to be found traces of the days of the oracle-trials. The case of Achan and the case of Jonathan

who was threatened with capital punishment by his royal father Saul (I Sam. XIV : 38-42), would prove that the oracle-trials were still in vogue in those days. It was only when actual trials were instituted that the Scripture dealt a death blow to the oracle practices.

Maimonides ("Commentary on the Mishnah," to Sanhedrin VI : 2; *Hilkot Sanhedrin* XVIII : 6) contends that the execution of Achan was not in conformity with the strict principles of Jewish jurisprudence, according to which no man may be convicted either by virtue of his own confession, or upon the mere statement of a prophet that a certain man is guilty of a capital crime. The view of Maimonides is substantiated by an older authority (Yerushalmi, Sanhedrin, VI : 3); for, it puts the words in the mouth of Achan, complaining of the decision of Joshua: "Scarcely a month has passed since your teacher Moses has been dead, and you have already gone astray. You have the law laid down by him, that a man's guilt must be established by the testimony of two or more witnesses, and you desire to take my life merely after casting lots."

Maimonides (l. c.), however, justifies that decision of Joshua "on the ground that such drastic measures were required because of the exigencies of the time." That such discretion was at times exercised by Jewish jurists, is evident from what is stated in a Baraita (quoted in Babli, Sanhedrin 46a), where it is told: "Said Rabbi Eleazer ben Jacob, 'I heard it [from my teachers] that the court may at times mete out corporal punishment and punish otherwise, although not in consonance with the Scriptural law. And this is not because the sages may act contrary to the Law of Moses, but in order to make a fence around the law'; that is, because of the exigencies of the time, when flagrant violations of the law by the public at large are to be checked. The same jurist then relates: "It happened that a certain man profaned the Sabbath in public by riding on the back of a horse, at the time of the Grecian oppression [when King Antiochus endeavored to suppress the law]. This violator of the law was brought to court, and he was condemned to die

therefor. This took place not because such profanation of the Sabbath is punishable with death, but because the times required it" (Babli, Yebamot 90b; Maimonides, *Hilkot Sanhedrin* XXIV : 4).

The Mosaic injunction (Deut. XIX : 15): "One witness shall not rise," etc., applies also to the alleged victim's confession, that it shall not suffice to convict him any more than the mere testimony of another disinterested single witness. Christian commentators, in order to sustain their view that the President of the Sanhedrin sought to wring a confession from the Nazarene, insist that this verse in the Scripture applies to a disinterested witness and not to the confession made by the culprit himself. This interpretation of the text cannot be sustained.

Q. Now, Dr. Ben Joseph, you testified that Caiaphas, by asking our Lord Jesus Christ whether he was "the Christ, the son of God," thereby raised a new issue.⁵⁰ Was not this question asked by Caiaphas because it was the natural conclusion to be drawn from the testimony given by the witnesses that Jesus could destroy the Temple and rebuild it in three days? A. Some Christian commentators claim that the President of the Sanhedrin did draw that conclusion.⁵¹ However, it is not a logical conclusion nor is it in accordance with the Jewish law.

As has been stated before,⁵² in cases of blasphemy, no verdict of guilt could be rendered against the offender unless the witnesses actually repeated the blasphemous words used by him. Neither the witnesses nor the judges were permitted to draw inferences or conclusions from the statements made by the accused. One could not have been convicted of the capital offense of blasphemy, unless his utterances constituted express and direct blasphemous words as defined by the Law of Moses (Lev. XXIV : 10-15), and not merely words from which inferences of a blasphemous nature could be deduced (Mishnah, Sanhedrin VII : 5).

Mr. Christiani: That will be all, Dr. Ben Joseph.

Mr. Ben Yehudah: No re-direct examination.

The Court: The witness is excused. Is the Defense

ready to proceed with the next expert witness?

Mr. Ben Yehudah: The Defense is ready, Your Honor, to call Dr. Nerva, as an expert in Roman law.

The Court: You may proceed with your examination.

Direct and Cross-Examination of Dr. Cocceius Nerva, Expert in Roman Law

DR. COCCEIUS NERVA, called as a witness in behalf of the Defense, being duly qualified as an expert in Roman law and procedure, and being duly sworn, testified as follows:

Direct examination by Hayyim Eliyahu ben Yehudah.

Q. Dr. Nerva, you have heard the fourth witness, St. John, testify (XVIII : 3) that a *speira* and a centurion (*cohors* and *tribunus*, in the Vulgate) came together with the multitude of Jews and their officers⁵³ to arrest the Nazarene at Gethsemane. Could this have happened, according to the rules of Roman law and practice? A. No, sir. The whole account of the arrest is contrary to Roman procedure. There were actually no grounds on the strength of which the Jewish leaders could have requested and obtained Roman aid for the arrest. Moreover, the arrest would not have been authorized by the Roman Procurator unless the Jewish leaders had lodged accusations against Jesus. But if such accusations had been made, Pilate would not have manifested such surprise when the prisoner was brought before him. Besides, Simon Peter would not have escaped unpunished if he had resisted and seriously wounded one of the arresting officers.

Husband ("The Prosecution of Jesus," pp. 85-86) very ably argues against the statement made by John: "A Roman force could not have been employed to make the arrest. For how could the Jewish authorities obtain a detachment of Roman soldiers? If they went directly to Pilate and said that they wished him to supply them with a force sufficient to capture one who had broken the law, he would unquestionably ask who the person was whom they wanted to ar-

rest, and what law he had broken. Their answer must be that Jesus was a dangerous criminal, whom they planned to apprehend at once. Pilate, in that case, would immediately inform them that, if there was a dangerous criminal abroad, the Romans would take him in charge at once. That would be the end of all connection of the Sanhedrin with the case. But if they said that Jesus was a blasphemer, or an offender against any ecclesiastical law, Pilate's proper and natural answer would be that he had no interest in such a charge, and that they might take care of it themselves (See Acts XVIII : 14-15)."

Q. You have heard the first two witnesses for the Prosecution testify (Matthew XXVII : 11; Mark XV : 2) that when the Nazarene was brought before Pilate, Pilate asked him: "Art thou the king of the Jews?" No mention was made by these witnesses that the Jews had preferred any charges against him. Could such a procedure have been followed before a Roman judge? A. No, sir. According to the rules of Roman procedure a written complaint, specifying the nature of the offense, had to be filed with the judge. As the Jews had filed no such complaint, Pilate would not have asked this question of the Nazarene of his own accord. (Husband, "The Prosecution of Jesus," p. 226.)

Q. Might Pilate have been informed by his soldiers that the Nazarene had been royally welcomed by the people at Jerusalem and proclaimed by them the king of the Jews (Matthew XXI : 8-11; Mark XI : 8-10; Luke XIX : 35-38; John XII : 12-15)? A. Yes, sir, that might have happened. However, there is a strong probability that the incident mentioned in the Gospels of the royal welcome accorded the Nazarene did not take place. In a subjugated Roman province, especially in turbulent Judea, the Jews would not have dared to honor in regal fashion a man riding on a donkey through the streets of Jerusalem. Neither the Roman soldiers nor the Jewish officers would have permitted it. They would most assuredly have dispersed the crowd and arrested the would-be king.

Had such an incident occurred, it would have been in-

stantly brought to Pilate's attention by his own troops, and he himself would have ordered the arrest of Jesus and his followers. Gould (ICC, "Mark" XV : 3) admits: "Under the Roman system, the Governor of a province was supposed to keep the central government informed of whatever was going on in his jurisdiction, and this system was so perfected that there would be little chance for a work like that of Jesus to go on without the cognizance of the Roman deputies." No one can, then, contend that Jesus was able to ride on a donkey in broad daylight through the streets of Jerusalem, while crowds gave him a royal reception, and that the Roman deputies failed to take cognizance of it.

Q. Now, Dr. Nerva, you have heard St. Matthew and St. Peter testify (Matthew XXVII : 11; Mark XV : 2) that the Nazarene replied to Pilate's query: "Thou sayest." If, as all commentators have claimed, this constituted an affirmative reply, an admission that he was the king of the Jews, what effect would this reply have had in Roman law? A. Such an admission on the part of the Nazarene would have been construed by the Roman official only as treason against his Emperor Tiberius. No one could lay claim to the Judean crown without the authority of the Roman Emperor.

During the period of the life of the Nazarene, throughout the Roman Empire, the law on the subject of treason was the one proposed by Augustus and known as the Julian Law of Treason, *lex Julia Majestatis* (48 B. C. E.). It provided: "The accusation of treason is made on the ground that the act is inimical to the welfare of the Roman people, or is contrary to their safety . . . The private citizen shall be held who wilfully and maliciously assumes the functions of an official" (Ulpina, "Digest" XLVIII, 4; Cicero, "De Inventione" II, 17; see also Husband, "The Prosecution of Jesus" pp. 231-233).

According to Paulus ("Seut." V, 22, 1), the penalty for the offense of treason committed in Roman provinces was crucifixion; he states: "Fomentors of insurrection or riot, the agitators of the people are crucified, or cast to the beasts, or banished, according to their rank."

The Nazarene, therefore, by declaring himself to be the

“king of the Jews,” became guilty of treason against the people of Rome and Caesar—the most serious crime known to Roman law. Pilate, as the personal representative of Tiberius Caesar in Judea, could not possibly have disregarded such an offense, because Tiberius Caesar, whom he represented and to whom he was personally responsible, was a morbid and capricious tyrant, whose suspicious temper would have kindled into fire at the slightest suggestion of treason. Tacitus records (“Annales” V, “Supplement” 2; so Seneca, “de Beneficiis” III, xxvi) that most harmless acts and expressions were at times construed into an affront to the majesty or into an assault upon the safety of this miserable despot.

According to the testimony of the fourth witness for the Prosecution (John XIX : 12), the Jewish jurists really laid down the law to Pilate. They said: “If thou let this man go, thou art not Caesar’s friend; whoso maketh himself a king speaketh against Caesar.” They called Pilate’s attention to the fact that according to the Roman law, an officer who releases a culprit charged with the serious offense of treason against Caesar, thereby declares himself an enemy to Caesar. It was they who pointed out to him that the Nazarene, by declaring himself to be the king of the Jews, was guilty of treason against the Roman crown. They intimated in a veiled threat that should the Roman Procurator continue to treat this accusation lightly as he had heretofore, they would denounce his actions to the Roman Emperor.

Consequently, the entire trial before Pilate, as recorded by the Gospel, was a mockery of Roman legal procedure.⁵⁴

Q. Dr. Nerva, you have heard the third witness for the Prosecution, St. Luke, testify (Luke XXIII : 2): “And they began to accuse him, saying, We found this *fellow* perverting the nation, and forbidding to give tribute to Caesar, saying that he himself is Christ a king.” May I ask you please to analyze this reported procedure from the point of view of Roman jurisprudence? A. The witness, St. Luke, is somewhat more reasonable in reporting the case tried before Pilate than either St. John or the other two Synoptic witnesses; yet even his account is far from being in consonance with

the rules and regulations of the Roman system of law, or for that matter of any system of law.

In the first place, this witness contradicts the other two witnesses who testified that Pilate, of his own accord, asked the Nazarene whether he was "the king of the Jews." They did not offer any testimony to the effect that the Jewish leaders had preferred charges at all against the Nazarene.

Secondly, the Roman law required that a written indictment be filed with the judge before the trial. This witness stated that the Jewish leaders made an oral complaint against the prisoner (Husband, "The Prosecution of Jesus," p. 226.)

Thirdly, this witness apparently tried to convey the impression that the Jewish leaders had preferred three different counts against the prisoner: (1) "Perverting the people," further elaborated by the complainants (verse 5, *infra*), "he stirreth up the people," which is clearly a charge of sedition. (2) Insurrection, by "forbidding the people to pay tribute to Caesar." (3) Treason, in claiming to be "Christ, a king."

The manner in which the charges were preferred, however, is most irregular, and even, at times, ridiculous. According to this witness, not only the Jewish jurists, but a ruffian mob (verse 4, *infra*), evidently in the late hours of the morning—for a regular trial was supposed to have been held in the Jewish court of law before this (Luke XXII : 66-71)—marched through the streets of Jerusalem, led by all the Jewish dignitaries, members of the highest court in Jerusalem, chief priests, elders, and scribes, with the Nazarene as prisoner to Pontius Pilate.

The entire rabble, suddenly transformed into jurists and well-trained lawyers, together with one voice accused the culprit on three distinct counts, none of which, by the way, had been mentioned during the so-called trial held earlier in the morning in the Jewish court of law. It is difficult for me, a man of legal training, to believe that the Jewish Doctors of the Law would have presented their case to the Roman Procurator in so barbaric a fashion and that the Roman official would have heeded them.

Q. Now, Dr. Nerva, you have heard the third witness testify (Luke XXIII : 3): "And Pilate asked him, saying, Art thou the king of the Jews? And he answered him and said, Thou sayest it." From a legal point of view, what would be the effect of the interrogation of the judge and the answer of the prisoner? A. The judge's interrogation would indicate that he disregarded or dismissed the other two counts, that of "sedition" and "insurrection," and examined the prisoner only as regarded the third count, that of "treason."

To this serious charge of "treason," the prisoner made a reply, which although somewhat evasive, must be construed as an admission of guilt. So, as the case stood now, there was an accusation against the Nazarene and an admission by him, not corroborated by the testimony of witnesses.

Q. You have heard the fourth witness for the Prosecution, St. John, testify (XVIII : 28): "Then led they Jesus from Caiaphas unto the hall of judgment; and it was early; and they themselves went not into the judgment hall. . . Pilate then went out unto them, and said, What accusation bring ye against this man?" Was this procedure in conformity with the Roman rules of law? A. No, sir.

In the first place, if Pilate had actually authorized the arrest of the Nazarene at Gethsemane, as has been reported by this very witness (John XVIII : 3), then he must have been aware of the nature of the offense; otherwise he would not have sent a cohort and a centurion to make the arrest (pp. 458-9, *supra*). It was up to him now, as judge, to examine witnesses and look for evidence, and not to ask for a restatement of charges.

Secondly, it would have been impossible for a Roman official to conduct a trial in this manner, with the prisoner inside the judgment hall, and the accusers outside. The Roman law provided that the accusers must face the prisoner when they preferred charges against him (Acts XXV : 14-15). In this case, Pilate not only violated the law, but acted in a manner most undignified and unbecoming a Roman governor, running back and forth, in and out of the judg-

ment hall. And if any will argue that Pilate wished to please the Jews, then why couldn't he have brought the prisoner outside when the Jews lodged the accusations against him? In this manner he would have satisfied both, the Jews and the Roman law, at the same time.

Thirdly, the witnesses for the Prosecution disagree as to what actually took place before Pilate. St. Matthew and St. Peter testified that Pilate of his own accord, lodged the complaint of treason against Jesus, by asking him, "art thou the king of the Jews?" which is patently irregular. St. Luke testified that the Jewish leaders, all the members of the Great Sanhedrin, together with a mob lodged a complaint by yelling out three distinct counts against the Nazarene. And the fourth witness, St. John, testified that Pilate asked the Jewish leaders to tell him what was the nature of their accusation. It is extremely difficult for any person with legal training to reconcile these discrepancies in recording a trial supposed to have taken place before a legally constituted court of law.

Q. The fourth witness further testified (John XVIII : 30) that the Jewish mob answered Pilate: "If he were not a malefactor, we would not have delivered him up unto thee." In your opinion, Dr. Nerva, is it plausible that such an answer was actually made to Pilate? A. No, sir. They would not have dared to indulge in such mockery of a Roman Procurator.

No reasonable person could be led to believe that when Pilate, acting in the capacity of supreme judge, asked the Jewish jurists to explain the nature of the charges they wished to lodge against the prisoner, they answered, as it were, "If he weren't guilty we wouldn't have brought him here"! This is utter nonsense.

Q. You have heard the witness then testify (John XVIII : 31) that Pilate in reply said to the Jews: "Take ye him, and judge him according to your law." From the point of view of Roman law and procedure, could Pilate have made such a reply to the Jews? A. No, sir, it would have been impossible. Pilate was empowered by Tiberius to hear and deter-

mine cases in his name in the Province of Judea. Had the Jews dared brazenly to refuse to lodge a complaint against the prisoner whom they had brought before him for trial, he would have dispersed the mob at once and released the prisoner. Such would have been the logical answer to the stupid reply made by the Jewish jurists. Instead, according to this witness, Pilate acted even more stupidly than the mob by offering to turn the prisoner over to them for trial.

Q. The same witness proceeded to testify (XVIII : 31, 33) that the Jews replied to Pilate: "It is not lawful for us to put any man to death. . . Then Pilate entered into the judgment hall again, and called Jesus, and said unto him, Art thou the king of the Jews?" Is this description of the procedure before Pilate in conformity with the Roman principles of law? A. Not at all, sir. In the first place, no mention had yet been made by this witness as to the nature of the offense alleged to have been committed by the Nazarene. How, then, would the Jewish leaders have been so abrupt and irresponsible in their replies to the Roman governor? Nobody had even hinted thus far that the case before Pilate involved the punishment of death. The proper thing for Pilate to have done, under these circumstances, would have been to demand an explanation of their statements. Instead, he returned to the judgment hall, and asked Jesus whether he was the "king of the Jews."

This form of interrogation employed by Pilate is most irregular. Nothing had gone before to indicate that Jesus had ever claimed to be "king of the Jews." Was Pilate merely guessing? or prophesying? In any case, it was highly irregular for any judge in any court of law to raise an issue of law of his own accord and make an accusation against a prisoner at bar not based on any testimony offered in court. It is inconceivable that a Roman judge should have so brazenly violated the established rules of procedure practiced in courts of law.

Besides, you have the picture of the dignified judge himself making a mockery of the law by running like a menial back and forth, from the prisoner inside the judgment

hall to the motley crowd without. A presiding officer in a trial was expected to remain upon his tribunal. (See Husband, "The Prosecution of Jesus," p. 239).

John's assertion that Pilate took Jesus inside the judgment hall, while the accusers remained outside is false on the face of it. No such procedure could have taken place in a Roman Governor's court of law. The principle, long recognized in Roman law, is expressly stated by Festus (Acts XXV : 14-16): "There is a certain man left in bonds by Felix: About whom, when I was at Jerusalem, the chief priests and the elders of the Jews informed me, desiring to have judgment against him. To whom I answered, It is not the manner of the Romans to deliver any man to die, before that he which is accused have the accusers face to face, and have license to answer for himself concerning the crime laid against him."

Among the Romans it was definitely stipulated that a case could not be conducted in the absence of the defendant. (See Husband, "The Prosecution of Jesus," p. 239). There was also a well-established principle in Jewish jurisprudence (Mishnah, Erubin VII : 11, a. fr.): "You may act to another's advantage in his absence, but not to his disadvantage in his absence."

A Christian author (Husband, l. c.) upon examining the procedure outlined in John's testimony, arrives at this candid conclusion: "For all these reasons it is necessary to adhere to the narrative of the Synoptic Gospels, and to reject this phase of the picture drawn by John."

Q. The fourth witness further testified (John XVIII : 34-37) that after some conversation between Pilate and Jesus, the latter admitted that he had a "kingdom not of this world." And Pilate asked him again, "Art thou a king then?" And Jesus answered, "Thou sayest that I am a king." Then Jesus went on to explain: "To this end was I born, and for this cause came I into this world, that I should bear witness unto the truth." From a legal point of view, Dr. Nerva, does the answer given by Jesus to Pilate, as recorded by this witness, differ materially from those recorded by the Synoptic witnesses? A. Decidedly, sir. According to the testimony

of the three Synoptic witnesses (Matthew XXVII : 11; Mark XV : 2; Luke XXIII : 3), Jesus admitted that he was guilty of treason by giving an unqualified affirmative answer to Pilate's question whether he was the "king of the Jews." He admitted that he was a king in the terrestrial sense of the word, a king over an earthly kingdom. According to the testimony of the fourth witness, however, Jesus made no such admission. He admitted that he was a king, but not of this world. If the Roman Pilate really understood Jesus' statement, if a celestial kingdom meant anything at all to him as a Roman, then Pilate could not have held Jesus guilty of the offense of treason, because he was not in conflict with the Roman Emperor Tiberius.

In brief, if we accept the testimony of the first three Synoptic witnesses, the Nazarene by his own admission to Pilate made himself subject to the law of treason. On the other hand, if we adhere to John's testimony, the Nazarene did not render himself liable to a charge of treason.

Q. Now, Dr. Nerva, you have heard St. Luke and St. John testify in this Court (Luke XXIII : 4; John XVIII : 38) that Pilate said to the Jewish leaders and their followers: "I find no fault in this man." In your opinion, would Pilate's words be construed as a decision in Roman law? A. There can be no doubt about that, sir. "I find no fault in this man," is an unequivocal decision of acquittal. This decision should have been considered final.

Q. Could this be considered a legal sentence? A. No, sir, not from a legal point of view. Pilate did not conduct the case in consonance with the Roman law, nor with any system of law, for that matter, if we are to give credence to the testimony of these witnesses. Pilate could not, on the strength of the so-called evidence before him, have arrived at any decision either of guilt or of acquittal.

Since the judge, however, did declare the Nazarene "without fault," he should have released him from custody, and no further proceedings should legally have ensued. Greenleaf says of this acquittal by Pilate ("The Testimony of the Four Evangelists," p. 527): "Here was a sentence of

acquittal, judicially pronounced, and irreversible except by a higher power, upon appeal; and it was the duty of Pilate thereupon to have discharged him."

Q. Would you say, then, that Pilate's offer to the Jews to release to them "the king of the Jews," as has been testified by the fourth witness, at this stage of the proceedings, was legal? A. No, sir, not at all. The Nazarene had not been found guilty as yet of any offense, but on the contrary, he had actually been pronounced innocent. It was not then up to the complainants to decide whether the prisoner should be released. It was the duty of the judge to dismiss the case and discharge the prisoner.

Q. In your opinion, Dr. Nerva, was it possible for Pilate to have declared the Nazarene innocent of any offense, if we are to give credence to the testimony given by the third witness (Luke XXIII : 2), that the Jews had preferred three specific charges against him? A. No, sir. No one familiar with the Roman law and with Roman methods of subjugation of peoples can possibly believe St. Luke's account of the Procurator's behavior.

In the first place, Pilate would have seized any opportunity to crucify one of his hated Jews, especially one who claimed to be their king. Secondly, he would not have openly violated the Roman law by dismissing without thorough investigation, three serious charges made by the Jews, sedition, insurrection, and treason. Pilate would have too greatly feared being charged by the Emperor with neglect of duty to the Roman crown.

Q. You have heard St. Matthew and St. Peter testify (Matthew XXVII : 18; Mark XV : 10) that Pilate sought to free the Nazarene because "he knew that out of envy they had delivered him." Can this assertion be sustained? A. Of course not. Had Pilate known that the popularity of the Nazarene was so great among his compatriots that his preaching evoked envy in the hearts of the Jewish leaders, then surely he, as the personal representative of Tiberius Caesar, would have considered it his duty to be more, and not less, severe with the prisoner.

Q. The third witness testified (Luke XXIII : 5) that after Pilate had declared Jesus innocent, the Jews charged: "He stirreth up all the people, teaching throughout all Jewry, beginning from Galilee to this place." What was the nature of the charge made by the Jews now? Was it a new charge, or a continuation of the first charges? A. This was not a new charge. It simply emphasized the first of the three counts already lodged against him, that of sedition. According to Professor Thompson ("Trial of Jesus," p. 150), "this was meant for an accusation of sedition of which Pilate would be bound to take cognizance. The crime of sedition consisted of attempts made, by meetings or speeches, or by publication, to disturb the tranquility of the state, which do not amount to treason."

The procedure, however, is false on the face of it. The Jews had already lodged a complaint of sedition against Jesus among the three counts already mentioned, and Pilate had declared him not guilty of any offense. How could they now press the charge anew? They had no new evidence to offer. The mere fact that he "was teaching throughout all Jewry," did not in itself constitute the offense of sedition. It certainly was not a crime in Roman law to teach people, irrespective of the topic taught. As the accusers of Jesus did not specify the topic of Jesus' teaching, what made Pilate take up the case again and reverse his own decision? This was absolutely against Roman law.

Q. The third witness further testified (Luke XXIII : 6-7) that when Pilate heard that Jesus was a Galilean, he sent him to Herod Antipas, the Tetrach of Galilee, who happened to be then at Jerusalem. Was this in conformity with Roman law? A. Definitely not. Rosadi ("Trial of Jesus," chapter XVIII) states: "His prosecutors insisted tenaciously upon his answering to a charge of *continuous* sedition, as lawyers call it. This offense had been begun in Galilee and ended in Jerusalem—that is to say, in Judea. Now it was a Roman rule of law, which the procurator of Rome could neither fail to recognize nor afford to neglect, that the competence of a court territorially constituted was determined

either by the place in which the arrest was made, or by the place in which the offense was committed (Law 1 and 2 Cod. *Ubi de criminibus*, 15, 3). Jesus had been arrested at the gates of Jerusalem; his alleged offense had been committed for the most part, as far as the final acts were concerned, in the city itself and in other localities of Judea. In *continuous* offenses competence was determined by the place in which the last acts going to constitute the offense had been committed (cf. Art. 17, Cod. Proc. Pen *Passim*). Thus no justification whatever existed for determining the court with regard to the prisoner's origin . . . And in this case he ought never to have raised the question of competence between himself, governor of Judea, and Herod, regent of Galilee, but between himself and the Roman Vice-Governor of Galilee, his colleague, if there had been such an one. It is only between the same judicial hierarchy that a dispute as to territorial competence can arise. Between magistrates of different States there can only exist a contrast of power and jurisdiction."

Balmforth ("Luke" XXIII : 7) remarks : "The fact that Jesus was from Herod's tetrarchy would not remove him from the jurisdiction of the Roman governor."

In brief, Pilate could not have sent Jesus to be tried by Herod, because the latter had no right to try cases in Jerusalem (Justinian's Digest I, 18, 3; XLVIII, 3, 11; *Cod.* III, 15, 1; *see also* Husband, "Prosecution of Jesus," pp. 263-264). Consequently the incident narrated by St. Luke is not authentic.

Q. Now, Dr. Nerva, you have heard the fourth witness testify (John XVIII : 40; XIX : 1-3) that when the Jews insisted that he release Barabbas and not Jesus, "Pilate took Jesus and scourged him," and the soldiers after having platted a crown of thorns and put it on his head, mocked him and smote him with their hands. In your opinion, could this scourging, mockery, and beating have taken place in a Roman court at this stage of the trial? A. It is most ridiculous to think that Pilate would have committed such gross violations of Roman law.

The first two witnesses testified (Matthew XXVII : 26;

Mark XV : 15) that the scourging belonged to the final stages of the trial as a preliminary to the crucifixion. The third witness testified (Luke XXIII : 16, 22) that the punishment of scourging had twice been proposed by Pilate earlier in the trial as a substitute for crucifixion, but it was never carried out. The fourth witness testified (John XIX : 1) that Pilate scourged Jesus of his own accord apparently on general principles.

Such behavior on the part of a Roman judge would have been fantastic. If the Nazarene was guilty of the crime as charged, he deserved the punishment appropriate for the crime, and this punishment would have been crucifixion for treason. If he was innocent, then why should he have been punished at all? No judge would have dared to punish a prisoner with the horrible punishment of scourging after rendering a decision that he was innocent as told by the fourth witness for the Prosecution (John XVIII : 38).

Furthermore, once the Nazarene was punished with scourging, he could not, under the Roman law, be punished again with crucifixion. It would be against the Roman maxim *non bis in idem* (not twice for the same crime). Professor Thompson ("Trial of Jesus," p. 161) says: "The execution of the judgment of flogging, whatever may have been its purpose, was a legal bar for further proceedings, and Jesus was entitled to his freedom. A rehearing of the case would have been another violation of that fundamental Roman law that no man shall be twice put in jeopardy for the same offense."

Q. Dr. Nerva, you have heard the first two witnesses testify (Matthew XXVII : 22; Mark XV : 12) that Pilate asked the Jews what they wished him to do with Jesus. Could he, in your opinion, have asked such a question? A. No, sir, There were fixed punishments among the Romans for treason: death by crucifixion or by being cast to the beasts, or banishment, according to the rank of the offender (Paulus, "Seut." V, 22, 1). Pilate would, under no circumstances, therefore, have consulted the Jewish mob as to what was to be done with the Nazarene. Pilate had no alternative but to

carry out the mandate of the law. From a legal point of view, the entire narrative regarding the procedure adopted by Pilate and the accusing Jews is preposterous.

Q. Now, Dr. Nerva, you have heard the witnesses for the Prosecution testify (Matthew XXVII : 24; Mark XV : 15; Luke XXIII : 23) that Pilate yielded to the clamor of the Jewish mob and decided to crucify the Nazarene. Was this act of Pilate in consonance with the Roman law? A. Decidedly not, sir. This statement is false not only to the basic principles of Roman law but to common logic. The "merciful" Pilate who time and again expressed his belief that the Nazarene was guiltless of any crime, now shamefully violated one of the finest laws of the Romans to the detriment of the innocent victim. The Roman law provides (Law 12, Cod. *De Poenis*, IX : 47): "Vanaes populi non sunt audiendae, nec enim vocibus eorum credi oportet aut noxium crimine absolvi aut innocentum condemnari desiderant."—The vain clamors of the people are not to be heeded, seeing that it is in no wise necessary to pay any attention to the cries of those desiring the acquittal of the guilty or the condemnation of the innocent."

Q. In your opinion, Dr. Nerva, was it possible for Pilate to have released Barabbas? A. The witnesses for the Prosecution contradict one another regarding the offense for which Barabbas had been incarcerated. To ascertain the nature of his offense is of prime importance in determining whether or not Pilate had the authority under the Roman law to release him without first obtaining permission from his Emperor at Rome.

The first witness merely testified (Matthew XXVII : 16) that "Barabbas was a notable prisoner," but he failed to mention of what specific offense he was guilty. The second witness testified (Mark XV : 7): "Barabbas which lay bound with them that had made insurrection with him, who had committed murder in the insurrection." The third witness testified (Luke XXIII : 19, 25) that Barabbas was cast into prison, "for a certain sedition made in the city, and for mur-

der." While the fourth witness averred (John XVIII : 40), "now Barabbas was a robber."

According to the testimony of the second and third witnesses, Barabbas was charged with the political offense of insurrection, sedition, and also of murder committed during such insurrection. If we are to give credence to their testimony, that Barabbas had committed a crime against the crown, Pilate would have had no authority to release him. An offense of this nature could not be pardoned by a procurator; for only the Emperor against whom the offense was committed could condone it ("Digest" XLVIII, 19, 27, XLII, 1, 45).⁵⁵ That Pilate would not have dared to condone an offense of this nature, is borne out by the statement alleged to have been made by the Jewish leaders to Pilate (John XIX : 12).

It is therefore folly to state that Pilate, merely to satisfy the clamor of the Jewish mob and their leaders, would have publicly violated the law of his land to release Barabbas.

However, if we accept the testimony of the fourth witness that Barabbas was simply accused of ordinary robbery, it would seem that a procurator would have been authorized to pardon him.⁵⁶

Q. Now, Dr. Nerva, you have heard the witnesses for the Prosecution state (Matthew XXVII : 26; Mark XV : 15; Luke XXIII : 25; John XIX : 16) that the Roman Procurator delivered the Nazarene to be crucified. In your opinion could a Roman judge have punished anyone with crucifixion under these circumstances? A. No, sir.

Many authorities contend that the practice of criminal law and procedure as was observed in Rome was also observed in the conquered provinces. But, even if such were not the case, there were certain fundamental rules of law which the Roman judges were bound to observe no matter where they presided. They certainly could not condemn a man to death without a trial, without hearing evidence, without permitting the defendant to put in a defense, and without pronouncing a decision as to the nature of his guilt, and above

all not to reverse their own decision of innocence already expressly pronounced in open court. Any student familiar with the Roman system of law knows that this was impossible. Pilate would not, even in the conquered province of Judea, have dared so flagrantly to violate the Roman law.

Rosadi ("Trial of Jesus," p. 295) rejects the theory that the Nazarene was put on trial either by the Sanhedrin or before Pilate. He sums it up thus: "Jesus was now condemned. That he was tried cannot be said, for who were his judges and when did they judge him? Not they of the Sanhedrin, for they had not the power, nor did they claim it. Not by the Roman magistrate in the Praetorium, who heard no single word of evidence, sought not a single proof, weighed not a single pleading, observed not a single form."

Gaynor ("Classics of the Bar," pp. 36, 37) likewise rejects the theory that a trial was held before Pilate. He says: "There is no foundation for saying that there was a trial before Pilate. There was not even a witness examined. The jurisprudence of Rome knew of no such trial as that."⁵⁷

That the description of the trials in the Gospels was merely the invention of ignorant and unskilled writers was a thought that apparently never occurred to them.

Q. Dr. Nerva, you have heard the first three witnesses for the Prosecution testify (Matthew XXVII : 32; Mark XV : 21; Luke XXIII : 26) that when they led Jesus to the place of crucifixion they found a certain Simon whom they compelled to bear the cross. Can this be substantiated by the rules of Roman procedure? A. No, sir. According to the Roman procedure, the criminal carried his own cross to the place of execution. Plutarch (p. 554) says: "Every kind of wickedness produces its own particular torment; just as every malefactor, when he is brought forth to execution, carries his own cross. (*De iis qui sero puniuntur*)."

An old Jewish source (Bereshit Rabbah LVI) also corroborates this contention; for it reads: "Just like a man laden with the cross on his shoulder." In fact, John (XIX : 17) insists that the Nazarene himself bore the cross.⁵⁸

It is difficult to explain why they should have com-

pelled Simon to carry the cross in this case. Christian commentators try to explain it. Gould ("Mark" XV : 20) maintains that the reason was that "the Nazarene was probably so weakened already by his suffering, as to be unable to carry it himself." McNeile shares the same view. He says ("Matthew" XXVII : 32): "The only reason for his [Simon's] impression must have been that Jesus was physically unable to carry it further." But this contention cannot be maintained. In the first place, it is absolutely illogical. Shall we assume, then, that ordinary base, godless criminals do not become weakened by the sufferings that precede crucifixion, but a Messiah, a son of God, who is endowed with supernatural powers, does become weakened? Would the Christian commentators make a weakling out of their lord in order to reconcile illogical statements made by the Gospel writers?

In the second place, the Roman soldiers adept at tragedy-comedy, as indicated by their mockery of Jesus, would have done much better in their ridicule of the Jews, if they had chosen one of the high Jewish dignitaries, the alleged accusers of the victim, to carry the cross for the crucifixion of their own king. If the Romans were anxious to heap abuses upon the Jews, as claimed by the Gospel-writers, would it not have been more effective to force one of the chief priests, for example, to carry the cross than a common, unknown person, a Simon of Cyrene?

Q. You have heard the witnesses for the Prosecution aver (Matthew XXVII : 35; Mark XV : 24; John XIX : 23-24) that the soldiers who had crucified the Nazarene cast lots for his garments. Was this customary among the Romans? A. According to the Roman law (Law 6, Dig. *De bonis damnatorum*, XLVII : 20), the spoils of prisoners condemned to death belonged always to the executioners. (See also Gould, ICC. "Mark" XV : 24). However, it was not divided by lots, as these witnesses would have it. This feature was apparently added by the witnesses for the Prosecution in order to make the incident conform with some Biblical text (Psalms XXII : 18), as was expressly stated by the fourth witness (John XIX : 23-24).

Q. Now, Dr. Nerva, you have heard the witnesses testify in this Court (Matthew XXVII : 37; Mark XV : 26; Luke XXIII : 38; John XIX : 19) that Pilate had a certain superscription placed on the head of the Nazarene when he was crucified. Please explain to the Court and the jury what conclusion can be drawn from the nature of the superscription.

A. In this instance, sir, Pilate complied with the Roman law. Suetonius (*Caligula* 32) says that it was the Roman method to publish on the cross the reason for the execution. This particular superscription, if it were true, would prove conclusively that the Nazarene was crucified by the Roman Procurator for treason.

In this regard, I wish to quote Rosadi, who very ably sums up these two points ("Trial of Jesus," pp. 313, 314):

"According to a usage which applies not only to this, but to every other case of Roman capital punishment, a superscription stating the reason of his condemnation was written at the summit of the cross above the head of Jesus. As a matter of fact, custom required that a document of this kind should be carried by the condemned prisoner himself. Suetonius relates that Caligula handed over to the executioner a slave who during a banquet had purloined a silver knife. The slave's hands were cut off and hung about his neck, and he was led around the tables, while before him was carried a placard stating the crime. Suetonius also tells us that Domitian had a father of a family, who had spoken of a gladiator without due admiration, led down the steps into the arena and cast to the dogs, with the writing, 'A palm-bearer irreverent to his ruler' (*Caligula*, 32).

"The sequence of these last events again proves that the martyrdom of Jesus was, as of necessity it must have been, a judicial action conclusively of Roman authority. Crucifixion was one of the ornaments and treasures of Roman and not of Mosaic law, to the power of Rome and not of Judea belonged the tender and merciful executioners; the superscription recording the just and wise condemnation originated with the Caesarian procurator and not with the Jewish Sanhedrin. If a sentence had been passed by the Jews in the Sanhedrin,

instead of a mere accusation, it would have blasphemy, not sedition, as its ground."

Q. Now, Dr. Nerva, what conclusion can you draw from the manner in which the witnesses for the Prosecution recorded the alleged trials of Jesus? A. Only one conclusion can be drawn, sir, that no trial could have been conducted in such a manner; hence, that this trial was a mere fiction concocted by unskilled and uninformed men who were familiar with neither Jewish nor Roman law. Even a Christian author admits that the Gospel writers did not know much about those two systems of law. Husband ("The Prosecution of Jesus," p. 8) writes: "We know in considerable detail the procedure in criminal cases tried in Rome during that period, but we have two cases reported from the provinces in any degree of fulness. These are the cases of Jesus and Paul, and they are reported by men who were not thoroughly versed in either Jewish or Roman law."

Mr. Ben Yehudah: Thank you, Dr. Nerva. That will be all. The witness is yours, sir.

Cross-examination by Mr. Christiani.

Q. Dr. Nerva, you testified that the Roman Procurator had not acted in accordance with any of the rules of law and procedure in his conduct of the trial. Is it not a fact that in the occupied provinces the people did not enjoy the same rules of procedure and practice as were enjoyed by the Roman citizens? A. This is very true, sir. But as I have pointed out before, the violations committed by Pilate did not relate to mere rules of procedure and practice. They touched the very core of established principles of law which were considered inviolable.

For instance: Colquhoun ("Summary of Roman Civil Law," etc. Vol. III, Sec. 2469) says that in criminal cases ten days must elapse between the sentence and the execution. But Pontius Pilate delivered the Nazarene to be crucified on the same day. In this instance, Pilate was guilty of violating a form of procedure.

When Pilate, however, neglected to summon witnesses,

to weigh pleas; when he chose to reverse himself, to put a man in jeopardy twice by first scourging him on general principles (John XIX : 1) and then crucifying him; when he committed a wrong by sending a prisoner to the cross merely to satisfy the clamor of the people, by sending a prisoner to crucifixion without pronouncing a verdict of guilt—all these were violations of the most fundamental principles of law which were considered sacred whether in Rome or in any conquered province.

Especially is this true, sir, with regard to the doctrine that a person might not be twice put in jeopardy for the same offense. This principle was fundamental in the Roman system of jurisprudence, and it has become a guiding principle in the jurisprudence of all modern civilized nations. (See p. 471, *supra*, for quotation from Thompson).

Now, according to St. Matthew and St. Peter, Jesus was first tried by the Jewish Sanhedrin, and then re-tried in the Roman tribunal. According to St. Luke, he was first tried by the Jewish court, then by Pilate, then by Herod, then by Pilate again—all on the same charge. According to St. John, he was first tried by the Jewish court, then several times by Pilate. He was found not guilty on several occasions, then re-tried by the same judge and found guilty.

No one would dare state that even in the conquered provinces the judges were not obliged to abide by this basic Roman principle of law.

Consequently, the theories advanced by some modern authors, such as Husband ("The Prosecution of Jesus") and others, who try to justify the account of the trial given by the witnesses for the Prosecution by arguing that in Roman provinces the law of Rome was not observed, are untenable.

Q. Dr. Nerva, you objected to the statements made by the witnesses for the Prosecution to the effect that Pilate had pardoned Barabbas who had been arrested on the charge of insurrection and murder. The ground upon which you rejected their statement as incredible was that only the Roman Emperor could pardon such an offender. No doubt, that is true. But is it not also true that this restriction applied only

to a convicted prisoner, and not to one before trial? Is it not a fact that the witnesses for the Prosecution stated merely that Barabbas had only been accused, but not convicted of the offense? A. Whether Barabbas had been convicted or not is immaterial, sir. Pilate had no authority arbitrarily to release a prisoner arrested on such a charge without a hearing. Tiberius and the law of Rome would not have tolerated such an act on the part of a Roman magistrate. This very argument has been advanced by Husband ("The Prosecution of Jesus", pp. 268-269), but it cannot be supported.

That no Roman official would dare to free a man accused of a serious offense against Tiberius Caesar, especially one involving treason, has been proved by one of your own witnesses. St. John testified (John XIX : 12) that when the Jews saw that Pilate was seeking to release Jesus, they threatened him, saying, "If thou let this man go, thou art not Caesar's friend." That Jesus had not, to this point, received even a semblance of a trial is proven by the statement of this very witness (XIX : 13). Yet, when Pilate heard this veiled threat made by the Jews, he began to consider the accusation more seriously, and for the first time he sat down in the judgment seat. Does not this prove conclusively that Pilate had no authority and no right to release a prisoner, even before trial, who was charged with an offense against the Caesar, sedition or treason? How, then, could he have released Barabbas in the presence of a mob and not fear to incur the wrath of Tiberius?

Mr. Christiani: That will be all, sir.

Mr. Ben Yehudah: No re-direct examination, Your Honor.

The Court: The witness is excused. You can call your next witness if you are ready.

Mr. Ben Yehudah: Yes, Your Honor, the Defense is ready.

Direct and Cross-Examination of Dr. David Kimhi, Expert in Exegesis

DR. DAVID KIMHI, called as a witness in behalf of the Defense, being duly qualified as an expert in exegesis, and being duly sworn, testified as follows:

Direct examination by Hayyim Eliyahu ben Yehudah:

Q. Prof. Kimhi, you have heard St. Matthew testify that the term "son of man" signifies a celestial, or supernatural being. In your opinion, is this a valid definition of the term?
A. No, sir, it is not. The term "son of man" is of Hebrew origin, *ben adam*, and is used throughout the Scripture to denote a mortal, the son of a mortal, a descendant of Adam, the first man, whose name was derived from the Hebrew word *adamah*, ground, earth, for the reason that Adam was created out of the dust of the ground (Gen. II : 7). Throughout the Biblical texts, *ben adam* is invariably used for the purpose of humbling, not glorifying. It is used in several instances especially to contrast earth-born man with the angels of heaven, to pose flesh and blood against celestial spirit.

There are many texts in the Scripture where the term *ben adam*, son of man, is so used: Deut. XXXII : 8; II Sam. VII : 14; Isaiah LI : 12; Ps. VIII : 5, LVII : 5. However, the following Biblical passages best illustrate its significance.

In Numbers (XXIII : 19) it is written: "God is not a man that He should lie, nor is He the *son of man*, *ben adam*, that He should repent." The Psalmist advises (Psalms CXLVI : 3-5): "Put not your trust in princes, nor in the *son of man*, *ben adam*, in whom there is no help. His breath goeth forth, he returneth to his dust; in that very day his thoughts perish. Happy is he whose help is the *God of Jacob*, whose hope is the *Lord his God*." This is a perfect example where the flesh and blood is posed against the celestial. Job cries out (Job

XXV : 4-6): "How then can a man be justified with God; or how can he be clean that is born of a woman? . . . How much less man, that is a worm, and the *son of man*, *ben adam*, which is a worm."

The prophet Ezekiel is almost invariably addressed by the Almighty as *ben adam*, son of man. The first time he is so addressed is after his description of the heavenly vision (Ezekiel I), when he hears a heavenly voice saying unto him (Ez. II : 1): "*Ben adam*, son of man, stand upon thy feet."

The well-known Biblical commentator Rashi (a. l.) explains that the prophet was addressed in such terms in order to humble his heart, lest he imagine that since he alone had been permitted to behold the vision of the Divine Chariot (Ez. I), he should be considered saintly, superhuman, and even celestial. Therefore he was addressed by the Almighty as *ben adam*, son of man, to remind him that in spite of all that he had been privileged to see, he was nothing but a mere *ben adam*, a son of man, a mortal.⁵⁹

Q. Prof. Kimhi, you have heard the first witness, St. Matthew, testify in this Court (Matthew XXVI : 15): "And they [the chief priests] covenanted with him [with Judas] for thirty pieces of silver." Can you explain to the Court and the ladies and gentlemen of the jury why the sum of "thirty pieces of silver"? A. Well, sir, according to the Mosaic Law (Ex. XXI : 22), thirty pieces (shekels) of silver was the price of a slave, and the writer of the Gospel evidently wished to convey the thought that Jesus was sold as a common slave.

This was rather a small sum of money to entice the treasurer of the Nazarene and his saintly group. But there was also another reason why St. Matthew, unlike his colleagues, may have seen fit to mention the sum of thirty pieces of silver: to make the incident of the betrayal by Judas conform to the text of Zechariah XI : 12-13.

Q. Of what benefit might this have been to the witness? A. It was undoubtedly the aim of the Gospel-writers to make it appear to the ignorant masses that the Jewish prophets from the time of Moses had foretold the coming, the suffering, the crucifixion, and the resurrection of the Naza-

rene. Their purpose was to lend authority and authenticity to their stories about the Nazarene. They, therefore, invented accounts to fit into isolated Hebrew texts. In spite of their inventions, however, there is absolutely no hint to be found anywhere in the Scripture concerning the advent of the Nazarene. They have succeeded in proving nothing but their own ignorance.

Q. Now, Dr. Kimhi, you have heard the witnesses St. Matthew and St. Peter testify (Matthew XXVI : 24; Mark IV : 21) that Jesus said: "The son of man goeth as it is written of him." Does this refer to any Biblical text? A. It would appear so from the interpretation advanced by all Christian theologians and commentators.

I must confess that if I had had to discover any such text by my own labors, I should have failed utterly. There is an art, a peculiarly Christian art, in locating such texts and in severing them not only from context but from common sense as well.

Q. Do you know the Scriptural text, then, where it is allegedly written that the Nazarene must go this way as told by him? A. The commentators I mentioned were good enough to tell us that this prediction concerning the Nazarene is contained in three different Biblical texts: Isaiah, Chapter LIII; Psalms, Chapter XXII; and Daniel IX : 26.

Q. In your opinion, Dr. Kimhi, can any one of these texts be applied to the Nazarene? A. No, sir. Those authors who contend that they do apply to the Nazarene display a deplorable ignorance of the Hebrew texts; they twist and contort one passage or another from its context into a corroboration of the Gospel text.

Q. How about Chapter LIII of Isaiah, which has been so often and consistently quoted by Christian authors. Can this Chapter be interpreted to apply to the advent of Jesus? A. With reference to this prophecy, sir, it is important to note at the outset that the prophecy does not begin with this Chapter, but it is a continuation of a prophecy begun with verse 13 of Chapter LII. Beginning with Isaiah Chapter XLI through Chapter LIII, there are certain prophecies scattered

in the texts, known in Hebrew as the *shire ha-eved* poems about the servant. Some of those prophecies are very short, and the last and the longest of them is the one contained in LII : 13 through Chapter LIII : 12.

It is expressly stated in all these texts that the "servant" referred to in all those prophecies is none other than the people of Israel (Isaiah XLI : 8, 9; XLII : 1, 19; XLIII : 10; XLIV : 1, 2, 21; XLV : 4; XLVIII : 20; XLIX : 3, 5, 6). The longest of these *shire ha-eved* (Isaiah LII : 13-LIII : 12) contains a message of hope and the prophecy of a bright future for the servant who was persecuted by the peoples of the earth. It is, so to speak, the climax of this group of prophecies. The prophet now foretells a time when the nations guilty of oppressing the servant of God, Israel, will acknowledge their guilt. They will admit that the servant was not abusive, did not look for conquests, and yet he was oppressed. They will admit their sinfulness, in that they failed to understand him. By no stretch of the imagination can this prophecy have the significance attached to it by Christian theologians that the servant spoken of by the prophet refers to any individual person, and that the servant would suffer a vicarious atonement for their sins.

In this connection, I wish to quote a passage from a very important work entitled "Judaism" (Part I, pp. 228-229), by George Foote Moore. This author, like many other modern commentators, admits that the servant spoken of by Isaiah is the suffering Israel. He says: "If there be but one God, there can be only one religion; and the idea of unity in religion carries with it the idea of universality. Now, indeed, Israel alone knows and worships this God, but in his larger purpose it must one day be the religion of all mankind. Israel is His instrument for the accomplishment of this end; it is His prophet among the nations. It is His servant which He has chosen; He has called it to this high mission, has endowed it with His spirit and given it His message; He sustains it amid difficulties and discouragements till it shall achieve final success; it is to be the light to the nations, that God's salvation may be as wide as the world (Isaiah XLII : 1 ff; XLIX :

1 ff.) Isaiah LII : 13-LIII : 12 seems to belong with the passages just cited. Israel is not only the prophet of the true religion but its martyr, its witness in suffering; it bears uncomplaining the penalty that others deserved, and when its day of vindication comes and God greatly exalts it, the nations which despised it in the time of its humiliation will confess in amazement that through its suffering they were saved."

Gould, too, admits that the servant spoken of in Isaiah LIII is none other than the people of Israel. He says "Mark" XIV : 21): "The Old Testament prophecy to this effect is Is. 53. The primary reference of the passage is the suffering servant of Yaweh, who is defined in the prophecy itself to be the righteous Israel."⁶⁰

Q. In your opinion, Dr. Kimhi, do the Christians give a true and faithful rendition of the Hebrew prophetic text of this Chapter? A. No, sir; the translation is entirely untrue to the text. In the first place, the occurrences in the text concerning the servant are all written in the past tense as of things that had already happened. However, this is disregarded by the Christian translators. For instance, the Authorized Version translates the Hebrew word *vayaal* (Is. LIII : 2) into, "for he shall grow up," whereas it is an elementary fact that *vayaal* is the future form of the verb changed into the past tense by means of the *vav conversive*, to be rendered, "and he grew up." Were it meant to be in the future with a *vav conjunctive*, the letter *vav* which stands for "and" would have been pointed with a *sheva*, and the word would then read *veyaal* (meaning, "and it shall grow up"), and not with a *pathah*, *vayaal*. This is the rudimentary rule in Hebrew grammar regarding the letter *vav*: if it is prefixed to a verb in the future tense and it is pointed with a *sheva*, it is a mere conjunction, meaning "and"; if it is pointed with either *komatz* or *pathah*, it is a *vav conversive* and the future tense is thereby converted into the past tense.

Again the Christians render the Hebrew text (verse 3), *ish makhobot vidua holi*, into, "a man of sorrows and acquainted with grief." This rendition is absolutely misleading. *Makhobot* in Hebrew never signifies "sorrows," but "pains";

and *holi* always means "disease," and not "grief." The sentence therefore must be translated: "A man of pains, and acquainted with disease." Of course, if rendered thus correctly, it could not very well be applied to a deity who was not supposed to suffer pains and be diseased. In order to make it apply to Jesus, they translated it incorrectly.

Verse 10 of this Chapter is likewise misinterpreted. The correct translation of the Hebrew should be: "Yet it pleased the Lord to crush him by disease," and not as it is rendered in the Authorized Version: "Yet it pleased the Lord to bruise him; He hath put him to grief." The Hebrew word is *heb'li*, which is a derivative from the verb *holoh*, which, as has been explained before, has no other meaning than "to be sick," and therefore *heb'li* can have no other meaning than, "he crushed him by disease."

Furthermore, this Chapter of Isaiah cannot be applied to the Nazarene for the reason that some of its verses cannot be made to apply to him. For instance, no commentator can maintain that the expression in verse 10, "that he might see his seed, prolong his days," can be applied to Jesus. Nor can the expression in verse 12, "therefore will I divide him a portion among the great, and he shall divide the spoil with the mighty," have any application to a "son of God." And it is certainly dishonest to select one phrase out of a prophecy and maintain that this applies to a certain man or to a certain event. The prophecy must be treated and interpreted as a whole, and not in segments.

Q. Can Chapter XXII of the Psalms be construed in any way to apply to the Nazarene? A. No, sir, it cannot. It is a Chapter full of woe and bitter disappointment because the Almighty fails to respond to one's supplication and prayers. Christians say that this refers to Jesus' agony at Gethsemane. But this is a thought that cannot be reconciled with the whole Christian dogma that Jesus is God's equal as His only begotten son. Surely, no one would seriously contend that the "son of God," God's own equal, could feel so depressed because God, his own Father, refuses to heed his persistent prayers. None offers prayers to his equal.

Besides, this Chapter, so often quoted by commentators as containing a prophecy referring to the Nazarene, in fact contains no prophecy at all. On the whole, the Psalms are not considered as containing prophetic utterances. They invariably speak of and describe past or contemporaneous events, or contain prayers, but they never prophesy the future.⁶¹

Certainly no Christian commentator would dare to contradict Jesus. And he himself is reported by the third witness for the Prosecution (Luke XXIV : 44) to have said: "Which were written in the law of Moses, and in the Prophets, and in the Psalms, concerning me." Accordingly, Jesus classified the Psalms by themselves, not including them in the Prophets. Do Christian authors need more substantial proof that the Psalms contain no prophecies?

Q. Can Daniel IX : 26 have any application to the Nazarene? A. Not at all, sir. The Authorized Version renders this verse as follows: "And after threescore and two weeks shall Messiah be cut off, but not for himself." This translation is thoroughly false and misleading. The original Hebrew text reads, *v'en lo*, which means either, "he shall have nothing," or, "and be no more," but it certainly does not mean, "but not for himself," as rendered in the Authorized Version. And most assuredly no devout Christian would ever dare apply such an expression as "and be no more," or "he shall have nothing," to Christ, the son of God.

Q. Now, Dr. Kimhi, you have heard St. Matthew and St. Peter testify in this Court (Matthew XXVI : 31; Mark XIV : 27): "Then said Jesus unto them, All ye shall be offended because of me this night: for it is written, I will smite the shepherd, and the sheep of the flock shall be scattered abroad." Do you know where this alleged Biblical verse is to be found? A. Yes, sir. It is contained in Zechariah XIII : 7.

Q. Is this an accurate quotation of the Biblical verse? A. No, sir. If the Nazarene did actually quote this Biblical verse as was reported by St. Matthew and St. Peter, then he either did not understand the text and therefore misinter-

preted it; or he was unfamiliar with the Hebrew phraseology and therefore misquoted it. The Zechariah prophecy, to which the Nazarene is reported by these witnesses to have referred, is not written in the future tense, as the Christian translators would have us believe. It does not read *akeh*, "I will strike" (which is the future tense of the verb *hakeh*, to strike); nor does it read *v'hiketi*, "and I will strike (which is the Hebrew method of converting the past tense into the future by means of the *vav* conversive), but it reads *hak*, "strike" (which is the imperative of the verb *hakeh*).

The prophet, as written in the Hebrew text, speaks to the sword, and orders it to strike the shepherd, the then leader of the Jewish people (probably the Jewish king, as has been suggested by Gould, "Mark" XIV : 27), so that the people will be left without guidance. But in the end, after they will have received their punishment, the prophet concludes that there will be a reconciliation (end verse 9): "I [the Lord] will say, It is My people, and they will say, the Lord is my God." This prophecy has no application whatsoever to the event described in the Gospels, for it refers to an immediate future, not to a remote one.

According to the Matthean version, the Hebrew text is also misquoted by the Nazarene, as the phrase "of the flock" given in this Gospel is not contained in the Zechariah text at all.

Here, as elsewhere, they have taken the Jewish prophets, misquoted them and misinterpreted them to build up their case against the Jew. They have taken our prophets, our literary treasure, our spiritual possessions, and by abusing them, heap upon us calumny and hate. They have twisted our great heritage of truth into weapons of abuse, persecution, and death. They have used our light as a guide to darkness.

Q. You have heard the first witness, St. Matthew, quote the Nazarene as saying (Matthew XXVI : 54): "But how then shall the Scripture be fulfilled, that thus it must be." Do you know to what Scriptural text he was referring? A. Not of my own knowledge, sir, for I would have been unable to

find any such text. However, all Christian commentators agree that the reference in this case, too, is the old reliable Chapter LIII of Isaiah, verse 7. There is no other Biblical text which is subject to so much distortion.⁶²

Q. You have heard the first two witnesses for the Prosecution testify in this Court (Matthew XXVI : 55-56; Mark XIV : 49) that the Nazarene predicted the fulfillment of a certain undisclosed Biblical text, where it is stated that a multitude of people armed with swords and staves would come to arrest him. Do you know where that Biblical text is to be found? A. No, sir. Christian commentators claim that Jesus was referring to Lamentations IV : 20, which reads, according to the Authorized Version: "The breath of our nostrils, the anointed of the Lord, was taken in their pits, of whom we said, Under his shadow we shall live among the heathen."

Q. In your opinion, Dr. Kimhi, does this verse have any application to the incident referred to by the witnesses for the Prosecution? A. No, sir. The only expression in this Biblical verse, which according to Christian commentators may have any application to the Nazarene is "the anointed of the Lord." But even A. W. Streane, Fellow of Corpus Christi College, in his Commentary on Lamentations ("Cambridge Bible for Schools and Colleges," *a. l.*), admits that "the anointed of the Lord" refers to the Jewish king Zedekiah. Concerning the expression, "the breath of our nostrils," contained in this verse, the same author remarks: "With this, as applied to a king, a sentence of Seneca (*ad Naronem de Clementia*, I, 4) has well been compared. 'He (the Emperor) is the breath of life, which these many thousand (subjects) draw.' " He further remarks that the expression, "was taken in their pit," is a metaphorical expression drawn from hunting." (Cf. *Lam. I : 3, 13*).

To speak of fulfilling such a text is utter nonsense and almost inconceivable. If the Christian scholars would but read the verse that precedes verse 20, and the verse that follows it, they would be convinced of the absurdity of their own interpretation.

To convince the Court and the ladies and gentlemen of

the jury that this Biblical text can have no reference to the incident recorded by the Gospel-writers, I shall take the liberty of giving the full text of Lamentations IV : 19-21. It reads: "Our persecutors are swifter than the eagles of the heaven: they pursued us upon the mountains, they laid wait for us in the wilderness. The breath of our nostrils, the anointed of the Lord, was taken in their pits, of whom we said, Under his shadow we shall live among the heathen. Rejoice and be glad, o daughter of Edom, that dwelleth in the land of Uz; the cup also shall pass through unto thee: thou shalt be drunken, and shalt make thyself naked."

Q. Is there any other applicable text in the opinion of Christian commentators? A. Yes. Gould ("Mark" XIV : 49) states: "The Scriptures that would be fulfilled in this instance were those that presaged his treatment as a malefactor, *e. g.* Is.: LIII : 6-9, 12. Our Lord must have entered very deeply into the inner meaning and heart of the Scriptures, to find them presaging his fate."

It has been proven before, however, very conclusively that the fifty-third chapter of Isaiah contains not the slightest hint that may justly be applied to the Nazarene. Gould himself (note to "Mark" XIV : 21) admits that "the suffering servant spoken of in Isaiah LIII is defined in the prophecy itself to be the righteous Israel." But being totally unable now to find a Biblical text to suit the alleged reference made by the Nazarene, he falls back on the old reliable Isaiah LIII, in spite of the fact that he is untrue to his own investigation.

If the testimony of St. Matthew and St. Peter is true that Jesus made reference to a Scriptural text and that it was to Isaiah LIII, as claimed by Gould, then the Nazarene did not "enter very deeply into the inner meaning and heart of the Scriptures, to find them presaging his fate." In reality, he did not understand the Scriptures at all, if he so interpreted them.

Q. You have heard St. Matthew testify in this Court, that after the Jewish leaders had brought a field with the money which the traitor Judas Iscariot threw down in the Temple, the field was called "The field of blood, unto this

day." Then he continued (Matthew XXVII : 9-10): "Then was fulfilled that which was spoken by Jeremy the prophet, saying, And they took the thirty pieces of silver, the price of him that was valued, whom the children of Israel did value; and gave them for the potter's field, as the Lord appointed me." Are these verses quoted by the witness contained in the Book of Jeremiah? A. No, sir; the writer of this Gospel must have been unfamiliar with the Prophets, because these verses are not contained in Jeremiah, but in Zechariah XI : 12-13. Some Christian authors admit that St. Matthew invariably quotes Biblical texts which are incorrect. F. W. Green ("Matthew" XXVII : 7) says: "In this passage Matthew again quotes texts without knowing exactly where they come from." (See also Allen, "Matthew," *a. l.*; and Slater, "Matthew," *a. l.*).

Q. Does the Zechariah text in the original Hebrew read as has been quoted by St. Matthew? A. Not at all. The witness records a certain account, and then distorts facts and makes a clumsy endeavor to make them conform to some prophetic utterance of the Scripture which has absolutely no bearing upon the account as stated by him. He picks out a Biblical verse, detaches it from the rest of the text, gives a false interpretation—and at times a false quotation, if need be, as in the present case—and then makes his mythical account fit into the alleged prophetic utterance.

Q. Dr. Kimhi, please explain to the Court and the jury how St. Matthew misquoted and misinterpreted the Biblical text in this case. A. In the first place, there is no such Biblical passage as the one quoted by this witness. The Biblical text referred to by him reads in the original Hebrew and in the Authorized Version (Zechariah XI : 12-13): "And I [Zechariah] said unto them, If ye think it good, give me my price; and if not, forbear. So they weighed for my price thirty pieces of silver. And the Lord said unto me, Cast it unto the potter: a goodly price that I was prised at of them. And I took the thirty pieces of silver, and cast them to the potter in the house of the Lord." I believe that it is superfluous to point out to the Court and the jury where-

in the quotation as given by the witness differs from the one contained in the Scriptures, because there is hardly any similarity between them.

Secondly, no commentator can seriously place any other interpretation on the Zechariah text than the one expressly given there. The prophet Zechariah speaks to the owners of the sheep referred to in the same chapter (verses 4-10), allegorically applied to the elders of the people who mislead the people, the sheep. The Almighty bade Zechariah become a shepherd of the people, and the prophet demands of the leaders that they should pay him his hire which price, thirty pieces of silver, is assessed by the Mosaic Law as the value of a slave (Ex. XXI : 32). The prophet challenged the leaders ironically to pay the paltry price of a base slave for his services if they wished to have a good shepherd. They paid him the price, and the Almighty told him to cast it to the potter.

How such a flagrantly false interpretation on the Biblical text can be placed to make it read in the third person plural, "they," instead of the first person singular, is difficult to understand. It is also inexplicable how St. Matthew dared to manufacture a quotation which is nowhere to be found. We are left to draw one of two conclusions: either he was extremely shrewd but false, or he was extremely ignorant.

Thirdly, St. Matthew made an audacious misquotation of the prophetic text, when he made it read, "and gave them for the potter's field, as the Lord appointed me." The original Hebrew text simply reads, "and he gave them to the potter," the word "field" not being mentioned at all in that verse. In fact, there is no mention made of a field anywhere in this prophetic text. Nor can the clause "as the Lord appointed me," be found in the Zechariah text. Even a Christian commentator, A. Carr ("Matthew," *a. l.*) remarks: "Neither the Hebrew nor the LXX Version is followed exactly."

Fourthly, the Biblical text referred to in this particular instance is not a prophetic utterance at all. True it is spoken by Zechariah, a prophet, but it relates to a past and not to

a future incident. Permit me to explain, first of all, the Hebrew text with reference to the term "potter" employed by St. Matthew and the Authorized Version.

The Hebrew word in the Zechariah text, which is rendered by "potter," is *yotzer*, which ordinarily means "potter." But the difficulty is, what did a potter have to do in the House of the Lord, and if a potter happened to be there, why would the Lord have told the prophet to cast the thirty pieces of silver unto him in preference to anyone else? There can be no doubt, therefore, that the Hebrew text should be read *otzar*, meaning "treasury," instead of *yotzer*, "potter," as has been explained by Rashi (*a. l.*), and many other Biblical commentators. (So Fuerst, "Hebraeisches und Chaldaeisches Handwoerterbuch," s. v. "yotzer"—5, Schatz, Zechariah XI : 13, nam des Tempels, wo ein solcher war. See also Kittel, note a, *a. l.*) In Hebrew, letters that proceed from the same organic sound are at times used interchangeably. For instance, letters that have the guttural sound, or labial, or dental, etc., are occasionally substituted one for the other. This grammatical rule also applies to the letters *aleph*, *he*, *vav*, and *yod*, although they do not proceed from the same organic sound, for the reason that they are servile letters, that is, they are used in Hebrew to form prefixes and suffixes. Hence, the letters *aleph* and *yod* may be substituted one for the other: *yotzer* instead of *otzar*.

Now, Zechariah's prophecy is easily explained: When the Jewish people paid Zechariah the price of a slave, the Almighty told him to take this great price (ironically) at which they were willing to value the services of God's prophet and put it in the treasury of the Temple. This was to show contempt for the low opinion the Jewish leaders had of the prophet's services. So the prophet says (Zechariah XI : 13): "And the Lord said unto me, Cast it into the treasury, the goodly price that I was prised at by them. And I took the thirty pieces of silver, and cast them into the treasury, in the house of the Lord." (That there was such a treasury in the Temple is mentioned in I Kings XVI : 26; Matthew XXVII : 6; Mark XII : 41). Consequently, the whole theory of the

potter's field based by St. Matthew on the Zechariah text is entirely exploded.

Q. Dr. Kimhi, you have heard the first two witnesses for the Prosecution testify on several occasions that the Nazarene maintained silence (Matthew XXVI : 63; XXVII : 12, 14; Mark XIV : 61; XV : 3, 5). In your opinion, can this silence be made to fit a certain Biblical quotation? A. Yes, sir. I am convinced that this account was invented by the Gospel-writers to make it fit verse 7 of the inevitable Chapter LIII of Isaiah: "He was oppressed, though he humbled himself and opened not his mouth."

Q. You have heard St. Matthew testify in this Court (Matthew XXVII : 35): "And they crucified him, and parted his garments, casting lots: that it might be fulfilled which was spoken by the prophet, They parted my garments among them, and upon my vesture did they cast lots." Do you know where this Biblical quotation is found? A. Yes, sir. The statement quoted by the witness was not made by a prophet, but by the Psalmist, and is contained in Psalms XXII : 18. This is another of those cases where the witness preserves a tradition or a legend to make it conform to a Biblical verse. This, of course, can be accomplished only by detaching the verse from its context.

The verse dissected in this case, is from the much quoted Psalm XXII, later named by Christian theologians as the *Passion Chapter*, because the Nazarene while on the cross is alleged to have cried out: "My God, my God, why hast Thou forsaken me?"

This Chapter of the Psalms, ascribed to the authorship of King David, contains the plea of a man in great anguish and suffering who is surrounded by numerous mighty and relentless enemies, and whose prayers for relief, although constant and earnest, remain unheard by Heaven. Suddenly his discouragement gives way to hope and renewed faith (verses 22-31). There are, of course, many other similar Psalms.

Q. In your opinion, Prof. Kimhi, does this Psalm contain anything that may be applied to the Nazarene? A. No, sir. Study it carefully and you will not find even the re-

motest hint of a prophecy relating to a future time. On the whole, as I have stated before (pp. 485-6, *supra*)—the Book of Psalms is not of a prophetic nature; and it was for this very reason that upon the canonization of the Holy Scriptures in the time of the Great Assembly (circa 515 B. C. E.), it was not incorporated among the prophetic writings but among the Hagiographa. It is a collection of prayers uttered on certain occasions, a great majority of which were supposed to have been uttered by King David in times of great emotional stress, as in victory or defeat.

The Authorized Version, in order to twist one expression contained in this Psalm into a reference to the Nazarene, however vague, deserts the Masoretic text of verse 16, which reads *kaari*, “like a lion,” and instead accepts the reading represented by the LXX, Vulgate and Syriac which have *karu* in the Hebrew text, and the Authorized Version renders it, “they pierced my hands and feet.” The Christian commentators then argue that this expression applies to the one who was crucified and whose hands and feet were as a result pierced, and that this was none other than the Nazarene.

In the first place, *karu*, as written in the Hebrew text, if it was intended to mean “pierce,” has a superfluous letter *aleph*. *Karah*, the Hebrew word meaning “to dig,” consists only of the letters *kaph*, *resh* and *he*; but the word in the Hebrew text is written *kaph*, *aleph*, *resh*, *vav*. Secondly, conceding for the sake of argument that in Hebrew we meet occasionally with words containing a superfluous *aleph*, the word *karah*, “to dig,” always applies in Hebrew to the digging of the soil, and is never applied to flesh, as the word, “to pierce.” (Gen. XXVI : 25; Ex. XXI : 33; Num. XXI : 18; Jer. XVIII : 20, 22; Ps. VII : 16; LVII : 7; a. fr.) Thirdly verses 17, 21 and 22 of Psalm XXII, express parallel thoughts. In verse 17, the Psalmist complains of dogs and a lion metaphoric of his enemies; and in verses 21 and 22 he beseeches the Almighty to save him from the dogs and “from the mouth of the lion.” In verse 17, where he complains of the lion, the word “mouth” is understood, a poetic license, and is read, “like *in the mouth* of a lion are my hands and feet.” This is

the only plausible interpretation of the text. (So Rashi, *a. l.*; H. P. Chajes, "Perush Madai," *a. l.*) The reading, "they pierced my hands and feet," would not be at all in harmony with the textual structure.

Q. Prof. Kimhi, you have heard the witnesses for the Prosecution testify in this Court (Matthew XXVII : 38; Mark XV : 27; Luke XXIII : 33; John XIX : 18) that two male-factors were crucified with the Nazarene. Does this account conform with any Biblical text? A. Yes, sir, it does. I am convinced that this account was invented by the Gospel-writers to make it conform with the words of Isaiah (LIII : 12): "And he was numbered among the transgressors." And this is expressly stated by the second witness (Mark XV : 28).

Q. The first two witnesses testified (Matthew XXVII : 39; Mark XV : 29) that they that passed by reviled Jesus while on the cross, "wagging their heads." Does this account conform with any Biblical text? A. Yes, sir, it does. Evidently the Gospel-writers were attempting to dramatize the eighth verse of Psalms XXII : "All they that see me laugh me to scorn; they shoot out the lip, they shake the head."

It is needless to state that such conduct on the part of passers-by, whether Jews or heathens, is not in conformity with human experience. Even a Christian commentator (Robertson, "Matthew" XXVII : 39) wonders and says (in hatred and anger, of course): "It seems inconceivable that men could stoop so low." Of course, it is inconceivable; so are many other statements made by the witnesses for the Prosecution. It is obvious, however, that in this instance the early Christians made an extremely clumsy attempt to make their accounts conform to a Biblical text.

Q. Three of the witnesses for the Prosecution testified in this Court (Matthew XXVII : 48; Mark XV : 36; John XIX : 29) that they gave the Nazarene vinegar to drink when he was on the cross. Does this, too, refer to something in the Scripture? A. In this particular instance, sir, our thanks are due to diligent Christian commentators who inform us that this account fits neatly into the Psalms (LXIX : 21):

“And in my thirst they gave me vinegar to drink.”

Q. Does this Chapter have any application to the Nazarene? A. No, sir. There is not a single verse in this Psalm that can be made to apply to the Nazarene, either directly or by implication. Even the first half of verse 21, claimed to be fulfilled by this incident, cannot apply to Jesus. It reads: “Yea, they put poison in my food.” There is no record in the New Testament that the Nazarene had ever been given poison in his food.

The Authorized Version, obviously to make the first part of the verse fit the account recorded by these witnesses, translates it: “They gave me also gall for my meat.” It is true that the Hebrew word *rosb* used in the text may be rendered either “gall,” or “poison.” But there is no record anywhere in the New Testament that the Nazarene had ever been given gall for his meat as stated in the Scriptural text. According to the first witness (Matthew XXVII : 34), he was given vinegar mixed with gall, but surely this was not given him for meat.

Q. Professor Kimhi, you have heard the fourth witness, St. John, testify (John XIX : 34): “But one of the soldiers with a spear pierced his side, and forthwith came there out blood with water.” Then the witness proceeded to give the reason for the actions of the Roman soldier (*l. c.* verse 37): “And again another scripture saith, They shall look on him whom they pierced.” In your opinion, does this Biblical verse have any application to the account given by the witness? A. No, not if we truly interpret the text to which the witness referred, Zechariah XII : 10. Let us examine this Chapter and see if the verse quoted has any application to the Nazarene.

The Authorized Version renders the Hebrew text: “And they shall look upon me whom they have pierced, and they shall mourn for him,” etc. The first part of the verse refers to the first person, “me,” and the rest of the verse refers to the third person, “him.” There can be no doubt that the translation of the Hebrew verse is wrong on the face of it.

The original Hebrew text reads: “Vehibitu elai et asher dakaru,” and to render this detached, isolated clause as it is

rendered in the Authorized Version is perfectly correct. However, if the contents of the whole prophecy is to be considered, and this sentence is to be rendered and interpreted in conjunction with the verse that precedes it and with the one that follows it, the rendition as given in the Authorized Version is absolutely senseless.

In verse 9 of the same Chapter, the Almighty speaks, naturally in the first person, as the beginning of a new prophecy: "And it shall come to pass in that day, that I will seek to destroy all nations," etc. And in verse 10, the verse under consideration, the Almighty continues to speak in the first person: "And I will pour upon the house of David," etc. And then it continues: "And they shall look upon Me," etc. Can there be any doubt, then, that the pronoun "me" refers to the same subject who speaks at the beginning of the sentence, the Almighty Himself? How, then, can the Hebrew *et asher dakaru* be rendered by "whom they have pierced"? The verse therefore must be rendered thus: "And they [that is, the inhabitants of Jerusalem, mentioned at the beginning of the verse] shall look upon Me because they [the nations, spoken of in verse 9] have thrust him [Israel] through," that is, the nations have caused much destruction of life among them during their exile. This explanation of the text is advanced by Rashi (*a. l.*) and other commentators.

Mr. Ben Yehudah: That will be all, Professor. The witness is yours.

Cross-Examination by Mr. Christiani:

Q. Prof. Kimhi, you testified in this Court that the term "son of man" throughout the Scriptures connotes a mortal of flesh and blood as opposed to the divine. Is that correct, sir?

A. That is correct.

Q. But, Professor, you must admit that this connotation cannot be applied to the term used in the Daniel text (VII : 13) where the prophet describes the "son of man as coming with the clouds of heaven." Is it not possible, then, that when our lord Jesus Christ styled himself "son of man," it was in the sense used in Daniel? A. I am fully aware, sir, that

nearly all Christian theologians contend that the term "son of man" was employed by the Nazarene in the sense used in the Daniel text. Permit me, then, to explain this text in full, so that the correct meaning of the term may be made plain.

In Daniel (VII : 13) the term used by the prophet is *bar enosh*, which is the Aramaic equivalent of the Hebrew *ben adam*, son of man. Because the *bar enosh*, son of man, was seen by the prophet Daniel in his vision as "coming with the clouds of heaven," the Christian theologians have unanimously taken it for granted that the "son of man" refers to a human being holier and more divine than the ordinary mortal of flesh and blood—to such a celestial being as the Messiah, or the Nazarene.

A careful reading of the text, however, will show that they have misconstrued the significance of the term *bar enosh*, son of man, as used in the Daniel text. It is not intended to refer to any individual, and certainly not to a divine being, a Messiah. In this Biblical text, the term is used symbolically to denote a whole people, and to emphasize the distinction between the present vision and the apparitions which Daniel has seen before. In his vision Daniel has seen four great beasts coming out of the sea (Dan. VII : 1-12) which, according to Babylonian mythology, is the element opposed to the divine. (See, John Edgar McFadyen, "Introduction to the Old Testament," p. 318). He has seen the Divine Judge upon His throne, and he has seen the presumptuous beasts slain. Before this same Judge is now brought one like a *bar enosh*, a son of man, who came with the clouds of heaven (verse 13), that is, from the element which is symbolical of the divine—this *human figure, bar enosh, coming with the clouds of heaven* being in striking contrast to the *beasts coming out of the sea*. The vision foretells that the unjust four kingdoms, symbolized by the four beasts, will perish at the hand of the Almighty, while the just Israelites, symbolized by the *bar enosh*, son of man, will be established as a people forever by Him.

This definition of the term *bar enosh*, son of man, is expressly given in the Biblical text. When Daniel is troubled

about the meaning of the dream, he is told, evidently by an angel (Daniel VII : 15-26), that the four beasts represented four kingdoms who would eventually perish, and the "man," or the *bar enosh*, (verse 13) was not one individual, but a holy people (verse 27), "am kaddishe elyonin," a people of saints of the Most High, meaning the people of Israel, who would be established in the kingdom of God, and would therefore be eternal. The word *am*, people, in Hebrew, as a collective noun, is of singular number, and therefore the singular is used in the Biblical text whenever reference is made to the people as a whole.

Consequently, if the Nazarene, as claimed by the witnesses for the Prosecution, used the term "son of man" when speaking of himself to denote a divinity, it was a very unhappy choice of expression. It would indicate that Jesus did not quite fully understand the connotation of the term.

Q. Dr. Kimhi, you testified that Chapter LIII of Isaiah cannot be interpreted as having any application to our lord Jesus Christ. Surely the principles contained in this Chapter can be applied to our lord, can it not? A. This interpretation of the Gospel text is advanced by Gould ("Mark" XIV : 21), who says: "The Old Testament prophecy to this effect is Isaiah 53. The primary reference of the passage is to the suffering servant of Yahweh, who is defined in the prophecy itself to be the righteous Israel. But, as in the case of many of these prophecies, the principle involved makes it applicable to the fate of our lord."

This explanation is entirely untenable and cannot be sustained. Throughout the New Testament, either the Nazarene himself or his Apostles use such expressions as (Matthew XXVI : 24): "It is written of him"; (l. c. 54) "how shall the scriptures be fulfilled?" (l. c. 56) "but all this was done, that the scriptures of the prophets might be fulfilled"; and many other similar expressions. Certainly no one would or could maintain that "it is written of him" means, "a principle is written of him." Nor could anyone contend that the expression "the scripture might be fulfilled," signifies, "the principle of the scripture might be fulfilled." Do not these

expressions signify, beyond any shadow of a doubt, that the writers of the Gospels wish to say that the prophecies contained in the Biblical texts they quote refer to the Nazarene and that they must be fulfilled? It was for this very reason that the Nazarene, as claimed by these writers, was ready at times to accept his fate without complaint or murmur, as otherwise the prophecies concerning him would remain unfulfilled; that he must therefore endure this ordeal unalterably preordained for him by the Almighty (Matthew XXVI : 53-54; Mark XIV : 49; John XVIII : 11).

Mr. Christiani: That will be all, Prof. Kimhi.

Mr. Ben Yehudah: No re-direct examination, sir.

The Court: The witness is excused. Is the Defense ready to proceed with the next expert witness?

Mr. Ben Yehudah: If it please the Court and the ladies and gentlemen of the jury, the Defense is ready to call the last witness, Dr. Bensew, who will qualify as an expert in the Hebrew and Aramaic languages.

The Court: Very well, sir, you may proceed with your examination.

Direct and Cross-Examination of Dr. Judah Leb Bensew, Expert in Hebrew and Aramaic Languages

DR. JUDAH LEB BENSEW, called as a witness in behalf of the Defense, being duly qualified as an expert in the Hebrew and Aramaic languages, and being duly sworn, testified as follows:

Direct Examination by Mr. Hayyim Eliyahu ben Yebudah.

Q. Dr. Bensew, you have heard St. Matthew and St. Peter testify (Matthew XXVI : 13; Mark XIV : 9) that Jesus said to his disciples: "Verily I say unto you," etc. Can you please tell the Court and the ladies and gentlemen of the jury the exact Greek term employed in the Gospel texts which is rendered by "verily"? A. Certainly, sir. The Greek version preserved the original Hebrew expression "Amen."

Q. In your opinion, Dr. Bensew, is this the proper use of the Hebrew word? A. No, sir, not at all. Throughout the Gospel texts, whenever Jesus is made to say something profound or prophetic, the passage is emphasized in the Greek version by an intial "amen," which is generally rendered as "verily."

If we are to believe that Jesus actually used "amen" at the beginning of a discourse for the mere purpose of laying stress upon his words, it would clearly indicate that he did not know the Hebrew language. "Amen" is at no time used for that purpose in Hebrew literature.

In Biblical literature (Num. V : 22; Deut. XXVII : 14-26; I Kings I : 35-36; Jer. XI : 3-5; XXVIII : 6), the word "amen" is used when it is desired to affirm, ratify, or acknowledge a statement made in solemn adjuration, or benediction, or blessing, or curse, and is equivalent to saying "so may it be." In the Talmud (Babli, Shebuot 36a), the connotation of the word "amen" is defined thus: "In *amen* is implied an

oath, a promise, and a prayer for fulfilment."

In but one instance in the Bible is the word "amen" used substantively. In Isaiah LXV : 16, we find the expression *elohe amen*, "the God of truth." However, the best reading for that text is accepted to be *elohe omen* (*omen* meaning "truth") and not *elohe amen* (Kittel, Isaiah, a. l.; Skinner CB Isaiah, a. l.; Krauss, *Perush Madai*, Isaiah a. l.; and others). But *amen* is never used as "verily" for the purpose of emphasis.

Q. What is the correct Hebrew word used in the sense of "verily"? A. The Hebrew word for "verily," or "indeed" is *annam* (II Kings XIX : 17; Is. XXXVII : 18; Ruth III : 12; a. fr.), and very rarely *annah* is used (Gen. XX : 12; Josh. VII : 20), the latter being a possible corruption of the former. In my opinion, the writers of the Gospels, unfamiliar with the Hebrew language, erroneously used the commonly known *amen* for *annam*.

Q. Dr. Bensew, you have heard the first witness, St. Matthew, testify (Matthew XXVI : 49) that Judas Iscariot addressed the Nazarene, saying: "Hail, Rabbi [master]." To your knowledge, was this form of salutation current among the Jews at that time? A. No, sir; there was no such form of salutation among the Jews.

Two forms of salutation are recorded in the Scripture. When Boaz came from Beth-lehem to the field (Ruth II : 4), "He said to the reapers, The Lord be with you. And they answered him, The Lord bless thee." Also (Psalms CXXIX : 8): "The blessing of the Lord be upon you: we bless you in the name of the Lord"; and the parting salutation was "lek leshalom," go in peace (I Sam. I : 17). This salutation was in use at the time of the Nazarene (Mark V : 34).

The form of salutation current in Talmudic literature is *shalom aleka*, "peace be unto thee" (Yerushalmi, Shebiit IV : 3; a. fr.) As the fourth witness testified in this Court, this form of salutation was used by the Nazarene when he met his disciples after the resurrection (John XX : 19, 21, 26).

It is, however, certain that the expression "hail" as a form of salutation was not known among the Jews. It is there-

fore impossible that Judas should have used the expression in saluting his master.

Q. Dr. Bensew, you have heard St. Peter testify (Mark XIV : 36) that in his prayer at Gethsemane Jesus said: "Abba o pater" (translated in the Authorized Version, "Abba, Father"), etc. Please explain to the Court and the jury the significance of this expression. A. According to the testimony of this witness, Jesus used two words in his prayer, the first of which is Aramaic, and the second Greek. That Jesus could not have used this combination is conceded by many Christian commentators. Gould ("Mark" XIV : 36) remarks: "This combination of the Greek and the Hebrew would not of course appear in the speech of our lord, who used only the Hebrew."⁶³ So, according to this author's contention, the witness St. Peter simply misquoted his master. But the question arises how St. Peter came to use the Greek *pater* when he himself spoke the very same language his master Jesus did? We must therefore conclude with this author (*l. c.*) who says: "Neither is the *o pater* explanatory of the *abba* . . . But this is a combination of the two, belonging to the later usage, and put by the evangelist into the mouth of Jesus."

The Aramaic term *abba* signifies either "master" or "father." When used in the latter sense, it is to be rendered "my father" and not merely "father," as in the Authorized Version, because it is generally used in the sense of family relationship, showing the blood kinship between father and son, and never in the sense of "heavenly Father." (See Ben Jehuda, "Millon ha-Lashon ha-Ibrit," art. "Abba") Examples of such use of the term throughout the Talmud are too numerous; suffice it to give the following few.

"Said Rabbi Eleazar ben Zadok: 'I remember when I was a child and was riding on the shoulder of *abba*, my father,'" etc. (Tosefta, Sanhedrin IX : 3). "Said Cain to the Almighty, 'My sin is greater than that of *abba*, my father,'" etc. (Midrash Rabbah, Bereshith XXII : 25). "I said to him (the young nazarite): 'What made thee destroy thy beautiful hair?' He replied: 'I was tending the sheep of *abba*, my father, in my

city,'” etc. (Babli, Nedarim 9b). “What did the Almighty do? He appeared unto Moses in the voice of his father. Said Moses: ‘*Abba*, my father, what dost thou desire?’” (Midrash Rabbah, Shemoth III). “Said Ishmael: ‘Now *abba*, my father, will sacrifice Isaac, and I will inherit all the property that will be left of *abba*, my father,’” etc. (Midrash Vayosha).

Q. If the Nazarene, then, actually made use of the term *abba*, as has been reported by this witness, what would it signify? A. It could have but one meaning, that, according to the definition of the term, the Nazarene must have actually believed that he was physically descended from the “loins of God.” But how preposterous it would be to ascribe such a thought to a Jew!

Q. Dr. Bensew, you have heard the fourth witness, St. John, testify (John XIX : 13): “When Pilate therefore heard that saying, he brought Jesus forth, and sat down in the judgment seat in a place that is called the Pavement, but in the Hebrew, Gabbatha.” Please explain to the Court and the jury the meaning of the Hebrew word *gabbatha*. A. In the Hebrew language, there is no such word as *gabbatha* signifying “pavement, as claimed by St. John.

The nearest equivalent in the Talmudic literature to the word *gabbatha* is the proper noun “Gubeta” or “Gabta,” a name of several places in Palestine; as, “Gubeta d’Ariah,” Gubeta in the district of Ariah (Sifri, Num. 131), and others; *gubeta* or *gabta* is an Aramaic word meaning “hill.” There is also a place known as “Gobebatha,” near Sephoris (Bereshith Rabbah, XCVIII : 16; Kohelet Rabbah IX : 10). “Gobebatha” also means “hills.”

It is hardly conceivable that the writer of the Johanne Gospel, who displayed so much unfamiliarity with the Hebrew language, should have used the very unpopular word in the Aramaic, *gubeta*, or *gabta*, which at times signifies “hill,” and should have applied this term to the elevated place made in the judgment seat in the Praetorium. It would be entirely too farfetched. The Hebrew word might have been a corruption of some unknown Hebrew term, mispronounced and misapplied by common people.

Neither the place known as the "Pavement," however, nor the one known as "Gabbatha," can be located. The names and the location of this alleged place where the judgment seat was located can nowhere be traced, not even by the most diligent Christian commentators. (See, "Hastings, Dictionary of the Bible," art. "Gabbatha").

Plummer (CB. "John" XIX : 13) suggests that "Gabbatha" is composed of two words, *Gab Baitha*, the ridge of the house, that is, the Temple-mound. Westcott ("John" XIX : 13) says "There can be little doubt this [Gabbatha] presents *Gab Baitha*, the ridge [back] of the house, i. e. the temple." This definition of the term "Gabbatha" is entirely unfounded. In the first place, there is no such term as *gab-baitha* in the Talmudic literature. In the second place, as has been stated before, the location of the "Pavement" has not as yet been established. Even the apostate Edersheim ("The Life and Time of Jesus the Messiah," Vol. II, p. 580, note 2) says: "The derivation of Wuensche 'back of the Temple,' is on every ground to be rejected." And McNeile ("Matthew" XXVII : 27) says: "And the meaning of Gabbatha, 'the pavement,' in John XIX : 13, is too uncertain to be used as evidence."

Q. Dr. Bensew, you have heard the first witness, St. Matthew, testify (Matthew XXVII : 46) that Jesus, when nailed to the cross, "about the ninth hour cried with a loud voice, saying, Eli Eli lama sabachthani? that is to say, My God, my God, why hast thou forsaken me?" In your opinion, could such a quotation from the Scripture have been made by the Nazarene? A. No, sir.

Most of the Christian students claim that the Nazarene was a disciple of the Pharisees and was well-versed in Hebrew lore. If so, he surely knew that the twenty-second Psalm begins with the Hebrew words: "Eli eli, lamah asabtani." Then, why should the Nazarene have preferred to quote the verse in the Aramaic (as the Christian commentators explain it to be), and not in the Hebrew, the original language in which the Psalms were written? It is true that some of the Pharisees and other scholars at that time might

have brought Aramaic words into their language which was pure Hebrew at that time. But there can be no doubt that before the destruction of the Temple, especially in Judea, the Jews used mostly Hebrew in their conversation. The only language in which the Scripture was known was the original Hebrew, for at that time the Bible had not yet been translated into Aramaic. The Jewish legal treatises were written in pure Hebrew. The Mishnah now extant, compiled and written more than two centuries after the time of the Nazarene, was composed in pure Hebrew. Only the Gemara, an elaboration and a sort of commentary on the Mishnah, was written in the Aramaic. But that was written and compiled in the third and fourth centuries after the common era. And even the authors of the Gemara, known as the Amoraim, at no time quoted a Biblical verse in any language other than Hebrew, although they had already had an Aramaic translation at their disposal.

Would it, then, be natural for a Jewish sage, well-versed in Jewish lore, in the hours of extreme agony, not to use a Biblical text in the original Hebrew, but seek to employ a translation which required a little thought—perhaps effort—to render the original perfectly? Only the most natural instincts and utterances escape from the mouths of those in most critical moments. As William Brant properly remarks: "A man suffering the terrible agony of crucifixion does not indulge in selecting citations."⁶⁴ Superfluous to add that he would not make an endeavor at such time to use a translation of his own in citing a Biblical verse.

Besides, the Biblical quotation, as recorded by St. Matthew is neither that of the original Hebrew text, nor that of the Aramaic translation. The Hebrew text of this verse is: "Eli, eli, lamah asabtani," and the Aramaic translation of this verse is: "Elahi, elahi, metul mah (*or*, lema) shebaktani." The version given by the witness, "eli, eli, lama sabachthani," is a mixture of Hebrew and Aramaic. Only an extremely ignorant person would be guilty of such a Biblical misquotation, not the Nazarene.

Furthermore, how would it have been possible for the

Nazarene to address the Almighty as "my God," if we are to accept the Christian dogma that he was His son and equal with Him? Throughout the Gospels, the Apostles in their anxiety to prove that the Nazarene claimed sonship, were careful to quote the Nazarene as addressing the Almighty as "Father," and never as "God." If Jesus on the cross recognized the Almighty as his God and complained of God's forsaking him, then he must have acknowledged that he was merely one of God's creatures, and not His son, a divinity. The whole dogma of Jesus' sonship is defeated, if we are to believe St. Matthew's and St. Mark's testimony.

The fourth witness, St. John, testified (John X : 17-18): "Therefore doth my Father love me, because I lay down my life, that I might take it again. No man taketh it from me, but I lay it down of myself. I have power to lay it down, and I have power to take it again." Why, then, is he complaining on the cross in desperation? If he had the power to do with his life as he saw fit, then his Father had nothing to do with it at this time. The whole Christian dogma of Jesus' godhood is full of irreconcilable incongruities and contradictions.

Q. Now, Dr. Bensew, you have heard the second witness, St. Peter, testify (Mark XV : 34): "And at the ninth hour Jesus cried out with a loud voice, saying, Eloi, eloi, lama sabachthani?" What is your explanation? A. According to St. Matthew, the first three words of Jesus' quotation are in Hebrew, and one word in Aramaic. But according to St. Peter, the first two words of the quotation are neither in Hebrew nor in Aramaic; in Hebrew it should be "eli, eli," and in the Aramaic, "Elahi, elahi." It is difficult to ascertain in what language this quotation is supposed to have been made.

Gould ("Mark" XV : 34, note 2) says: "Eloi is the Syriac form for the Hebrew eli . . . Sabachthani is the Chaldaic form for the Hebrew azabtani." So, according to this Christian commentator, this simple Biblical quotation is polyglotic, that is, Jesus, in his hour of agony, quoted a simple Biblical verse in different languages. J. T. Marshall ("Hastings, Dic-

tionary of the Bible," art. "eloi, eloi," etc.) says that the underlying Aramaic would be *elahi, elahi, l'ma shabaqtani*. "The *o* in Eloi is probably a local pronunciation of *a* as *aw* or *o*, as in some Syriac dialects." This, however, does not explain why the Nazarene himself or his two disciples St. Matthew and St. Peter, all of whom were Jews, were unable to quote correctly a simple Biblical verse. Is it not a sure indication of ignorance?

Now, since we are discussing the saying alleged to have been made by the Nazarene while nailed to the cross, I would venture to express my own opinion regarding it.

There is a strong possibility, in my opinion, that the quotation alleged to have been made by Jesus, if the transliteration given by the witnesses be correct, is not from Psalms XII at all as has been claimed by Christian authors. If it were a transliteration of the Aramaic, it should have read *sabakthani*, with *k* instead of *ch*. The Aramaic is with *kaph* which is always transliterated in Greek with *k* and not *x*. *Sabachthani* is a Hebrew word composed of two words, *sabachtha* (thou hast sacrificed, *or* slaughtered), from the root *zabah*, to sacrifice, to slaughter, and the pronominal suffix *oti*, me.⁶⁵ If that is the case, then the exclamation put in the mouth of the Nazarene is not a Biblical quotation, but an outright complaint made to God for the destiny assigned to him: "My God, my God, why hast thou sacrificed me?"

If the above explanation of the quotation is accepted, then it was made by the Nazarene in pure Hebrew and not in mixed languages. Such an utterance would also be natural for a man in his dying moments, suffering untold torture, because it is an expression of grief and complaint and not a crippled quotation from the Biblical text. This complaint against God's will would also accord with the prayer alleged to have been offered by Jesus at Gethsemane (Matthew XXVI : 39; Mark XIV : 36) that God remove this cup from him. It remained to be answered, of course, why the cup of agony was not removed. (See Gould, "Mark" XIV : 36).

Q. Dr. Bensew, you have heard the third witness testify

in this Court (Luke XXIII : 46) that the Nazarene while nailed to the cross said: "Into thy hands I commend my spirit." Is this the correct version of a Biblical text? A. No, sir. The expression is from Psalms XXXI : 6. As usual, the Gospel writers make the Nazarene quote Biblical verses incorrectly. The verse in the original Hebrew text reads: "Into thy hand I commend my spirit." "Hand" in the singular (with no *yod* after the *daleth*), not "hands" in the plural, is the word used in the text.

If the Nazarene actually did thus misquote the verse, it would tend to show that he was not only unfamiliar with the Scripture but also with the Hebrew language. The term "hand" in the singular, as used in this instance, signifies "care," "possession," and the like, and not the limb of the body. The plural "hands," on the other hand, is never used in Hebrew to denote "care" or "possession," but always signifies the limbs of the body.

Furthermore, if Jesus, as the Christian theologians contend, was "the Son of God," and equal with his Father, what need was there for him to commit his spirit into His hands? If the Nazarene, although God, possessed a spirit, why couldn't he have taken care of it himself?

Q. The first witness, St. Matthew, testified (XXVII : 52) that immediately after the crucifixion "many bodies of the saints which slept arose." Can you explain to the Court and the jury the meaning of the term "saints"? A. The term "saints" employed by this Evangelist is most difficult. "Saint" or "holy one" was never used among the Jews as an epithet to describe human beings. It has been used mostly either as an epithet for God Himself who is "Holy" (Lev. XIX : 2; Isaiah VI : 3; a. fr.), or to persons and things connected with God, such as, priests (Lev. XXI : 6); Levites (Num. VIII: 17 ff.); "the holy throne" (Ps. XLVII : 9); "holy heaven" (Ps. XX : 7); "holy people" (Deut. VII : 6), etc. It is, however, a term very often used by Christians.

The writer of this Matthean text was evidently unfamiliar with the use of the term "saints." For the question is: Who were those "saints which slept"? They could not have been

Jews, because in the first place there were no Jews designated as "saints" either before or during the time of the Nazarene. Secondly, there was no cause for dead Jews—holy or otherwise—to arise and creep out of their graves on account of Jesus. They could not have been Christian saints because no Christians had yet been canonized. The only explanation that is at all plausible is that this account in the Matthean Gospel was written long after the crucifixion, when dead Christians were already being sanctified, and the writer ignorantly surmised that saints must also have slept in their graves at the time of the crucifixion.

Q. You have heard the fourth witness, St. John, testify (XX : 16) that Mary Magdalene addressed Jesus after the resurrection as "Rabboni," my master. Is "Rabboni" a correct Hebrew form? A. No, sir. *Rabboni* is grammatically wrong. The meaning of *Rabban* is "our teacher," or "our lord, master," and was the title of the Nasi (Prince), President of the Great Sanhedrin, from the time of Gamaliel I (the teacher of St. Paul) and after ("Encyclopedia Britannica," art. "Rabbi"). By adding the first person possessive pronoun to *Rabban* (*Rabboni*), the word is altered to mean, "my our master." Certainly this would not have made any sense even to Mary Magdalene.

Mr. Ben Yehudah: That will be all, Dr. Bensew. Thank you. The witness is yours.

Mr. Christiani: No cross-examination, Your Honor,
The Court: The witness is excused.

Mr. Ben Yehudah: The Defense rests, Your Honor.

The Court (to Mr. Ben Yehudah): You may now sum up for the Defense.

PART THREE

Summations and Judge's Charge to Jury

*"Therefore is judgment far from us, neither
doth justice overtake us; we wait for light,
but behold obscurity; for righteousness,
but we walk in darkness."*

ISAIAH XLIX : 9



CHAPTER ONE

Summation by Defense

MR. HAYYIM ELIYAHU BEN YEHUDAH (summing up for the Defense): If it please the Court and the ladies and gentlemen of the jury:

THE ACCUSATION

The case now before you, the decision of which lies in your hands, is unique. No similar case has ever been tried before any court of law on earth. The accused are millions, and the accusers hundreds of millions of people. The safety, the fortunes, the honor, the very lives of the Jews, not only of the present generation, who are at present scattered in all the four corners of the earth, but also of the millions who are yet to follow us to endless generations, are involved. In

your hands lies the destiny of the souls that are born and of the souls that are to be born by sheer accident as Jews.

Ladies and gentlemen of the jury, you are called upon to decide a case which has been lying dormant for many centuries—almost two thousand years. During these long and painful centuries an accusation—not even an indictment—has been filed in the archives of the world against a whole people, and against each and all of its generations.

This accusation has been submitted to the world not in the nature of verbal evidence, but in documentary testimony, in what is known as the "Four Gospels." This accusation has not been lodged in the nature of a complaint in a court of law with a request for action to be taken. It was simply recorded for posterity that the world might know what actually happened, and accuse.

This accusation has been pending for many centuries, no one ever taking the trouble of bringing it to a joinder of issue in any court of law. The written complaint has been there, in many languages—in all languages of the world—very widely circulated and commented upon and emphasized in every corner of the globe wherever devout Christians have assembled. The Jew has been accused everywhere, by everybody, the young and the old, the learned and the ignorant, the influential and the unimportant, the clergy and the laity, of having killed the Lord of the Christians, Jesus Christ.

The Jew, because of the dominance of the Christian Church over the world at large and over the Jew in particular, never thought of filing a defense, a Jewish defense, against this accusation. He made no attempt to exonerate himself, but silently protested and suffered. He knew what the consequences would be if he dared to file a defense and press the issue, even if he were the least abusive in his arguments and protestations. Thus he has been standing accused by default, for failure to file a defense and to prove his innocence, because his superior, the Church, would look with disfavor upon such action by the Jew, and the Jew has known what it has meant to incur the disfavor of the Church.

So, the Jew suffered and said nothing.

CONSEQUENCES OF FORCED SILENCE

And what were the results of this forced silence on the part of the Jew?—Centuries of extreme, untold suffering.

Relying upon the truth of the narration as contained in the Four Gospels, the Prosecution, as Christians, have persecuted the Jews through the centuries; they have, by turns, hounded them and shunned them, they have brought upon them suffering beyond description, and have even lightly resorted to murder. The justification for their ruthless action was their own accusation that almost two thousand years ago the representatives of the Jews, the Sanhedrin, the highest tribunal in the land of Israel, had unjustly condemned Jesus to death.

Yes, the Prosecution has committed many acts of cold-blooded murder, taking the lives of tens of thousands of innocent people; they have deprived men of their legal and natural rights; they have chased the defenseless Jews relentlessly from one corner of the globe to another, giving them no peace and no rest, because the witnesses, St. Matthew, St. Peter in the document of St. Mark, St. Luke, and St. John have asserted that many centuries ago the highest court at Jerusalem, committed a travesty of justice.

MURDER JUSTIFIED

These acts of murder have been justified, and at times even encouraged, by the highest representatives of the Church, some for instance, who have occupied the throne of Peter, and by Christian theologians and authors through the centuries. Of course, it would be impracticable to enumerate all those foes of the Jew; suffice it, therefore, for the present purpose to mention but a few.

Pope Gregory VII, in the year 1078, wrote to King Alfonso VI of Moorish Spain, who had elevated Jews to important office: "To subordinate Christians to Jews, and to subject them to Jewish authority, is to oppress the Church of God, and to exalt the synagogue of Satan. To desire to please the enemies of Christ is to despise Christ himself."

Pope Innocent III (1198-1216), who had confined the

Jews in Ghettos, and prescribed for them the yellow patch on the breast and the yellow headcovering, wrote to the Archbishop of Sens and to the Bishop of Paris, reminding them that "the Jews were bound by perpetual subjugation, because of the crucifixion."

Renan ("Vie de Jesus" ch. xxiv) writes: "Human life was at that time [the time of the Nazarene] very lightly sacrificed; doubtless the members of the Sanhedrin did not dream that their sons would have to render account to an enraged posterity for the condemnation delivered with such careless disdain."

Reverend Lees ("Life of Christ" pp. 491-492) writes: "Since that fateful day when Christ was condemned for saying that he was the Son of God, his blood has stained the Jewish name. The race has been haunted by their deed, and a terrible retribution has followed their cry. It cannot be denied that there is nothing in the world's history to compare with the results of the world's tragedy. Wherever a Jew has been found, whether quietly pursuing his calling in the market place of civilization, or fleeing from his persecution, the blood-guiltiness of the Jewish fathers has been remembered in their children. A prejudice has grown in the heart of men who have not known anything personally against the Jews, who have not been even personally acquainted with them, a prejudice which cannot be charged to the account of those in whom the inherent feeling exist without reference to the blood that was shed. The cry of the infuriated Jews has reverberated down the corridors of the ages, and even men who have heard only the rudiments of their story shrink from contact with the haunted race. Time has not wiped out their deed, nor has history erased it. On the darkest pages of the annals of mankind it remains as if it had been recorded in letters of blood for all men to read for ever. It accelerated the doom then fast approaching of the people compelled by their own act to tread a blood-stained road, a people afterwards bereft of their country, yet preserved amidst all nations in a way unparalleled, ever moving with restless footsteps in the world of men, conspic-

uous by the mark upon them that stained their name.”

This Reverend does not stand alone. He voices the opinion of the Church.

These unjust and unreasonable accusers and avengers overlook the fact that it is not Providence that keeps this memory of the killing of Jesus alive in the minds of ignorant millions. It is the “holy men” who represent the Church, who fan the fires of hate in the hearts of their innocent followers, by means of “Passion Plays” and impassioned sermons. And this they do in the name of piety.

The Romans, whose Procurator and soldiers and executioners crucified Jesus, and who alone had the power to do so, who put the Nazarene to torture, derision, and ridicule—they are completely exonerated, both by the gods and the Christian Church; but the Jews, because they dared to find Jesus guilty, are held guilty of bloodshed to endless generations. The Romans were exonerated by Christendom, because they were mighty and powerful, and because they embraced Christianity. The Jews were accused and punished, because they were weak and helpless, and because they were obstinate and refused to accept Christianity. It is the logic of the Christian Church, and not the will of Providence, that arrived at this illogical conclusion.

CONSEQUENCES OF AGITATION

And what were the consequences of the agitation of the Christian representatives?—Endless persecution, bloodshed, intolerance, and injustice in every nook and corner of the globe wherever there was a Jew to be found and a cross to haunt him. The name “Jew” has become synonymous with the Church-made epithet “Christ killer.” This shameless epithet is not new, but as old as the shamelessness of the early Christian Church, which declared that the Jews were a base and godless sect which must be purged from the face of the earth.

Beginning with the first general Church-council held at Nicea, in 325 C. E., when several hundred bishops convened with the first Christian Emperor, Constantine, at their head,

the Christian Church inaugurated an era of murder, rapine, torture, martyrdom, bigotry, and intolerance.

Theodosius II (408-450), dominated by monks and priests, and holding sway over the Eastern, or Byzantine, Empire, issued edicts forbidding Jewish judges to exercise judicial functions in any case involving a Christian. He prohibited the building of new synagogues.

The Roman Emperor Justinian (532), not satisfied with the mere imposition of harsh civil and religious restraints upon the Jews, decreed that the testimony of a Jew was not to be believed as against Christians.

The monks and the Patriarch Modestus of Jerusalem demanded (628) that Emperor Heraclius order the extermination of the Jews in Palestine. When the emperor refused to violate his promise to the Jews, the monks argued that the murder of the Jews was no crime but rather an offering pleasing to God. They offered to take upon themselves whatever sin such an act would entail, and to institute a special week of fasting for him. His conscience thus appeased, the pious emperor ordered an attack upon the Jews of Palestine. All those who could not escape, either by hiding in the mountain retreats or by flight to Egypt, were massacred.

THE CRUSADES

Then came the First Crusade. A monk suggested to the wild mob of Crusaders the idea of driving the Jews by force into the bosom of the Church (1096). With the emblem of the cross on their shoulders, they spread terror and shed Jewish blood in Germany. Bishop Egilbert, answering the plea of the unfortunate Jews for protection, said: "Embrace Christ, and I give you peace and quiet enjoyment of your possessions, but if you remain obstinate, your souls will perish with their bodies."

In May, 1096, Bishop Johannsen offered the unfortunate Jews of Speyer protection in the palace from the fury of the Crusaders. But five days later, he suddenly notified them that he could no longer harbor them unless they sub-

mitted to baptism. The Jews asked for a few days' respite to consider the matter. In front of the palace the pilgrims were assembled, prepared to lead the Jews to the church or to death. But when the respite expired, and the Bishop threw the gates open to the mob, the Jews were found engulfed in blood. They had preferred to fall by each other's hands. Those who were still alive were murdered by the enraged mob and their corpses were dragged into the streets.

The Crusaders left the city of Speyer, and the grave-diggers counted eighteen hundred corpses.

And there were martyrs in Mayence. When the Crusaders arrived in Mayence, the Archbishop Ruther invited all the Jews to place themselves under his protection. Thirteen hundred Jews blindly committed their wealth to the Bishop's charge, and hid in the court and in the garrets of the extensive palace. But at dawn of the very next day, Tuesday, May 27, 1096, Count Emmerich, a kinsman of the Archbishop, led the Crusaders before the palace and demanded the surrender of the Jews. The Archbishop's troops offered no resistance, and the Crusaders broke down the gates and scattered through the chambers in search of their victims. The horrible scenes of Speyer were repeated here. With the "shema" ("Hear O Israel, the Lord our God, the Lord is one") on their lips, men, women, and children perished either by the sword of their own brothers, or by the sword of the Crusaders.

The corpses of thirteen hundred martyrs were conveyed on wagons outside of the city from the palace. The Archbishop retained the Jewish wealth and shared it with the Crusader Count Emmerich.

The first Crusaders were credited by the German Jews with killing twelve thousand of their brethren in the cities of the Rhine in the course of two months.

Then came the "Second Crusade," in 1146. In France and in Germany bloodthirsty fanaticism was again turned loose upon the Jews. There was bloodshed in France. And there was bloodshed in Germany.

There was a "Third Crusade," encouraged by Pope Innocent III. The Jews of England, unaffected by the first two Crusades, were now victims of the third.

Richard Coeur de Lion, upon returning from his coronation (September 3, 1189), accepted a gift of homage from the representatives of all Jewish communities of England. Baldwin, the Archbishop of Canterbury, thereupon remarked to the king that it was not becoming for the king to accept gifts from the accursed Jews. He requested that the Jewish deputies be excluded from the hall, and Richard innocently yielded to his request. But the palace servants who turned the Jewish deputies out of the palace mistreated them. A false rumor spread that the king desired the murder of the Jews. Thereupon the rabble and the Crusaders set fire to Jewish homes and massacred many Jews.

As soon as Richard Coeur de Lion crossed the Channel to enter upon a new Crusade with Philip Augustus, king of France, the Crusaders killed the Jews of Lynn and the Jews of Norwich. Five hundred Jews of York slew one another rather than fall into the hands of the enemy.

PAPAL ATTITUDE

A man whose bloodthirsty heart belied his name ascended the throne of Peter in 1198. Pope Innocent III inflicted more grievous wounds upon the beaten body of the Jew than all his predecessors.

The French King, Philip Augustus, the arch-enemy of the Jews, was charged by the Pope with showing friendship to the Jews, and he reproached him for it. In a letter to Philip, the Pope wrote that it grieved him to see that some of the princes were preferring the sons of the crucifiers to the followers of the crucified Christ. He had heard that in France, Jews, contrary to the decree of the Lateran Council, employed Christian servants and nurses in their homes, that the community of Sens had erected a synagogue that was higher than the neighboring church, and that the Jews worshiped so loudly as to disturb the services at the church. Pope Innocent also censured the king for giving the Jews too

much freedom so that they presumed to appear on the streets and in the villages during Easter week, and led the faithful astray. He repeated with indignation the lie that the Jews employed Christian blood for ritual purposes.

In a letter to the Count of Nevers who was a friend to the Jews, Pope Innocent wrote that the Jews must wander without rest upon the earth like Cain, and their faces must be covered with shame. They should not be protected by Christian princes but, on the contrary, should be condemned to servitude. It was only the hope of final conversion of the Jews that kept him from declaring a war of extermination against them.

Pope Innocent III summoned a council to Rome, and there issued a decree that Jews in all Christian countries must wear at all times a garb to distinguish them from the Christians. Every Jew reaching the age of twelve had now to wear a colored badge, the men on their hats, the women on their veils.

This Jewish badge, the invention of Pope Innocent III and the Fourth Roman Council, which was to remain as a mark of the deep degradation of the Jews of Europe for six centuries, dated from November 30, 1215.

And so the years rolled by. The favorable bulls published by some humane Popes in favor of the Jew, such as Innocent IV, and Gregory IX, had little or no effect upon the ignorant masses. The spirit of intolerance that was taught in the schools and preached by the Dominicans from the pulpits had entered into the very blood of the people.

Year by year, martyrs fell in many communities in France and Germany. Some Christian families in Germany acquired fame by the burning of the Jews, and called themselves with pride "Jew-roasters." The leaders of the Church, on their part, saw to it that no mercy might be shown to the Jews. The great council of Vienna (1264), presided over by a papal legate, not content with the badge which the German Jews had to wear, issued a decree compelling the Jews to wear, in addition, a disfiguring headgear, a pointed horned hat or cap.

The papacy imparted also the fanatical intolerance of the Church to the Magyars. A great council was held in Ofen, Hungary, composed of the prelates of Hungary and Southern Poland, under the presidency of the papal legate Philip. This Council decreed that Jews and other inhabitants of the country who were not members of the Roman Catholic Church were to be excluded from any public office.

In 1285, a rumor spread in Munich that the Jews had bought a child from an old woman and murdered it. A raging mob fell upon the Jews and murdered every one who came into its hands. Many Jews sought refuge in the synagogue; whereupon the Christian mob set fire to the synagogue, and one hundred and eighty men, women, and children went up in the smoke and flames.

Then in 1298 came the massacres by the followers of Rindfleisch, a nobleman of Roettingen in Franconia. This bloodthirsty rabble moved for six months from Franconia and Bavaria to Austria, brought ruin upon more than one hundred and forty communities, and murdered more than one hundred thousand Jews.

In 1290, King Edward, instigated by his mother and the fanatical party, expelled the Jews from England, decreeing that any Jew found on English soil after November was to be hanged.

On July 22, 1306, Philip IV, king of France, had the Jews arrested on a secret order. They were then informed that they must abandon their property and leave the country within a month on pain of death. At the expiration of the thirty days of grace, about one hundred thousand souls were driven from the land where their forefathers had dwelt even in the days of the Roman republic, long before the Franks had made their appearance in France.

Another bloody page was added to Jewish history by the Crusade of the Shepherds (1320), when nearly all the Jews of Bordeaux, Toulouse, Albi, and other cities of Southern France perished.

Pope John XXII, urged by his fanatical sister Sangista, issued an edict (1321) expelling all Jews from the Roman

domain. It required twenty thousand ducats to appease the wrath of this holy man and his even holier sister.

THE BLACK DEATH

Then came the "black death" which raged more than four years (1348-1352) killing about 25,000,000 people. Neither Mohammedans nor Mongolians ever thought of holding the Jews responsible for the fearful catastrophe. Christians alone did that. They alone could think of providing such an excuse for massacring Jews.

They invented the story that the Jews, bent upon destroying all Christians, had made poison out of the flesh of basilisks, spiders, frogs, and lizards, or of Christian hearts and the dough of Hosts with which they poisoned all the wells. Stirred by these idiotic tales, the ignorant masses slaughtered Jews in France and in other Christian countries, and especially in the Roman-German empire.

Pope Clement VI sympathized with the Jews. He issued a bull in which he forbade the killing of Jews without judicial trial. But this bull was without effect. One country imitated the other, and everywhere Jews were burned, or burned themselves to avoid a worse fate. In every Christian country, except Spain and Poland, there followed a period of wretchedness for the Jews, and past butcheries were quickly obliterated in a new sea of blood.

THE SPANISH INQUISITION

At last Christian persecution and intolerance invaded Spain. Thousands of Jews yielded to force and accepted Christianity, but the fanatical churchmen were not satisfied. The monks and friars who had labored so frenziedly to convert the Jews, felt that they had been cheated and fooled. Their converts called themselves Christians and enjoyed all the privileges of Christians, but at heart they remained Jews. In their anger, the monks instituted the despicable "Inquisition." It began in 1480, with the sanction of Ferdinand and Isabella, the King and Queen of Spain, who desired to kill off

the converted Jews and gain possession of their wealth.

Three years after the establishment of the Inquisition, the sadistic fiend Thomas de Torquemada was put at the head. Then Almighty God commenced to smell the savory odor of human sacrifices burnt alive in the "auto-da-fé," in a public square. Each offering of a human sacrifice became a fine sporting event. Spectators attended the public burnings in their gaiest attire and witnessed the death agonies of the victims with songs and cheers.

The number of victims of the auto-da-fé increased steadily. On the slightest pretext, men, women, and children were hallowed as burnt-offerings to the god of fanaticism and blind fury. A malicious hint dropped by a servant girl at a confessional sufficed to bring torture and death at the stake to a converted Jew and his family.

Did Jesus, the Son of God, sitting on the right hand of Power, witness the executions of these innocent people, burnt alive for his sake, and was he pleased?

At last, the odor of burning flesh began to sicken the earth. Pope Sixtus IV, who had issued the bull for the establishment of the Inquisition, recanted, and admitted that he had issued the bull without due deliberation. But this maniacal Inquisition was not to be ended so easily. Its courts had been established in many cities in the land, and they remained greedy for victims. And everywhere Jewish heretics continued to be cast alive into the flames—unless they repented, in which case, they were first strangled.

The Jews who had remained openly loyal to their faith were soon to receive the blame for all this unleashed horror. Upon the insistence of the inquisitor that these Jews were a grave menace to the security of the Church, the royal Christian pair who ruled Spain issued a decree that all Jews must leave the country within four months (March 31, 1492).

The Spanish Jews were now compelled to leave the land where they had lived for at least fifteen centuries. The graves of their forefathers were dear to them above all else, and the thought of the separation from them filled them with profound sorrow. The Jews of Segovia spent the three days pre-

ceding their departure at the graves of their fathers.

And so it happened that on August 2, 1492, at least three hundred thousand Jews were driven penniless out of Spain, all their gold and silver and jewels filling the coffers of the royal pair and the Church.

There followed an inquisition in Portugal, whither ninety-five thousand Jews had fled for safety.

INTOLERANCE OF THE CHURCH

And then a very dark page was added to the sad history of the Jew. The bigoted Theatine monk Caraffa became Pope Paul IV (May, 1555-August, 1559). Bull after bull was issued by him curtailing the rights of the Jews who lived in Rome, and heaping insults upon them. After his death, the Romans cursed his system and his memory, but the system survived for many centuries. The Jesuits and the fanatics had already gained the upper hand in the Catholic Church, and each succeeding Pope had to submit to them.

Pope Pius V (1566-1572) even surpassed Paul IV in cruelty. Jews were forbidden to associate with Christians, to own real estate, to deal in anything but old clothes, to have more than one synagogue in the community, and the wearing of the Jewish badge was strictly enforced.

Not satisfied with these hard restrictions, this Pope proposed to the college of Cardinals his intention of expelling all Jews from the Papal States. In spite of the protest of several prelates, a bull was issued by him ordering all the Jews of the Papal States, with the exception of those of Rome and Ancona, to leave within three months; those who remained were to be reduced to slavery, or subjected to even harsher punishment.

So the Jews left the Papal States, and the wrath of the Pope was appeased.

Pope Gregory XIII (1572-1585) hated the Jews and placed them all under the power of the general inquisition. This Pope vented his wrath also upon the Talmud. Any Jew in whose possession such a book was found was punished severely.

Pope Clement VIII (1592-1605) reinforced the intolerant system of Popes Paul IV, Pius V, and Gregory XIII. Expulsions of Jews from Italian cities were frequent under this Pope; the exiles had to beg for shelter and, in addition, were robbed cruelly of their possessions upon their departure.

The intolerance of the Church spread to Eastern Europe. Another bloody chapter was added to the history of the Jews by Bogdan Chmielnicki (1595-1657) who proved a fearful scourge to the Jews of Poland. He aroused the entire Ukraine to a religious and racial war, addressing the Cossacks with the words: "The Poles have delivered us as slaves into the hands of the accursed Jews." This sufficed to induce them all to join his banner.

There followed a series of massacres, conflagrations, famines, and pestilence. City after city was wiped off the map, the Jews perishing in them, in Polish and Lithuanian communities. About a quarter of a million Jews perished.

And then medieval Catholicism began to hold sway again. Riots and bloodshed reappeared after a period of comparative quiet. Pope Pius VII (1800-1823) reintroduced the inquisition. The Jews of France were deprived of the freedom which they had enjoyed under the French rule. The Middle Ages were reintroduced into the Papal States, and thanks to this Pope's influence, it also spread into the European countries where the Jews had begun to see some light. Riots and bloodshed reappeared in Germany, Austria, and other countries.

Thus the Jews were again flung into darkness and intolerance by the Vicar of Christ.

And there were blood-accusations in many countries, and many Jews were massacred.

In our own times, ladies and gentlemen of the jury, you have known the intolerant Russian Czars, the kings of Roumania, the Jew-haters in Germany, Austria, Poland, England, and the United States of America. You all know how the Jews fared under the German tyrant Adolf Hitler. You all know how the Jew suffers to this very day from the seed

of hatred sown by the Gospels in the heart of every Christian child.

THE EVIDENCE AGAINST THE JEW

Ladies and gentlemen of the jury. It is the contention of the Prosecution, the devout followers of the Nazarene, that a person accused of a capital offense must have his day in court and receive a fair trial by a legally constituted court of law before impartial, unbiased judges faithful to the law. The Prosecution insists, therefore, that if the Jewish court of law, the Sanhedrin at Jerusalem, centuries ago, did not provide such a trial for the Nazarene, then the entire nation of that time, their children and their children's children, even to the thousandth generation, are answerable for the alleged crime, the travesty of justice committed by the Jewish court, and must suffer and be mercilessly dealt with by all Christians.

But the Prosecution has been guilty throughout these centuries of committing this very crime with which they charge the Jews. They have had this accusation filed against the Jew for nineteen hundred years. The accusation was made by four witnesses who recorded their testimony concerning the trial and the crucifixion of Jesus in four documents, known as the "Four Gospels." These are the only records in the literature of the world that deal with the facts of the trial and the crucifixion.

All the evidence the Prosecution has ever had against the Jew is contained in those four documents. On the strength of this evidence, the Prosecution committed countless murderous acts, in pious rationalization, and otherwise committed acts of infamy, robbery, theft, rape, and untold torture.

Was this evidence ever examined and cross-examined by a competent tribunal? Was this evidence ever weighed by an impartial jury to ascertain whether or not it contained any element of truth? Were the millions upon millions of victims ever found guilty by a competent court of law and a jury? Did the Prosecution ever permit the victims, the de-

fendants in this case, to have their day in court? Did it ever call upon them to file their defense and try to exonerate themselves? No. Emphatically, no. The Prosecution, immediately upon the publication of the documentary evidence by the witnesses, began penalizing and punishing innocent people. Some of the representatives of the Prince of Peace at once violated the Divine Law, which orders (Deut. XXIV : 16): "The fathers shall not be put to death for the children; neither shall the children be put to death for the fathers: every man shall be put to death for his own sin."

Yet the Prosecution contends that the Jewish people, all of them, all over this planet, all generations, are guilty of murder because some Jewish judges, justly or unjustly, found the Nazarene guilty of a capital offense, and delivered him to Pontius Pilate, the Roman Procurator, to be crucified, And the Prosecution, the devout representatives of the Church and the doctrines of Jesus, are they guilty of no crime at all when they urge their followers to kill, to kill without mercy; to hate, to hate without reason?

The Jew is wrong, because he is helpless, a small minority, a negligible quantity. The Prosecution is right, because it is powerful, mighty, and has the backing of hundreds of millions.

AIM OF FILING DEFENSE

The aim of the Defendants in filing this defense and demanding a trial was not to try to shatter or in any way weaken anyone's religious convictions. The Jew has always believed in religious tolerance. Never has he sewn the Ten Commandments on his sleeve and marched to massacre the infidels, as was done by the wearers of the cross, the "holy" Crusaders. The Jew has never cruelly burned people alive because of their refusal to accept his doctrines. The Jews adopted the attitude of tolerance expressed by the prophet (Micah IV : 5): "For all people will walk every one in the name of his god, and we will walk in the name of the Lord our God for ever and ever."

The object of filing this defense, ladies and gentlemen of the jury, was simply to refute a long-standing accusation against the Jew, by convincing you that the documents containing the evidence against the Jew are not authentic and not worthy of belief. The Defendants merely wished to have their day in Court in order to convince you that this accusation against the Jew, so fraught with misery, suffering and death, was a tragic libel evilly wrought upon an innocent people.

Ladies and gentlemen of the jury—It is the opinion of modern scholars, that of the three Synoptic Gospels Mark is the oldest, its original composition having been used by the other two, Matthew and Luke. This theory is based on the statement made by Papias (reported by Eusebius, "Hist. Eccl." III : 39), an early second century authority (130), that Mark wrote down what he, in a rather disconnected way, heard from Peter, and that Matthew made a collection of the sayings of Jesus, the *logia*, in the Hebrew dialect without the historical framework.

There have been many diverse opinions advanced as to the dates of these Four Gospels. Holtzman ("Die synoptischen Evangelien" pp. 412-414) claims that the three Synoptic Gospels were committed to writing between the years sixty and eighty of the Christian era.

Modern scholars have for the most part agreed that the Gospels of Matthew and Mark were written about 70 of the Christian era (M. S. Enslin, "Christian Beginnings," p. 400). The Gospel of Luke was written sometime after that period (A. Plummer, "Introduction to the Gospel of St. Luke"). The Gospel of John cannot be placed earlier than 100 c. e. (M. S. Enslin, l. c.).

If the theory of these scholars is accepted, then the testimony of the four witnesses, as contained in the Gospels, must be considered null and void, for they can then be based only on hearsay. Mark heard it from Peter; Matthew and Luke copied it from Mark; and the Gospel of John could not have been written by the Apostle St. John, since the date of its composition is fixed as not earlier than 100 c. e.

For the purpose of this trial, however, the Defense will concede, in accordance with the most conservative elements of the Prosecution that Matthew and John, two of the Twelve disciples of Jesus, wrote the Gospels bearing their name, and that consequently, they were supposed to have been eye-witnesses (see Wilderman's "Douay's Edition of the Bible," Introduction to Matthew and John). The Defense makes this concession because once and for all, the Jew wants to assert his legal right, recognized in every civilized society, to defend himself. He wishes to prove to clear-thinking men and women that he is not guilty, and therefore he does not want to avail himself of the law which forbids the admission of hearsay evidence, and which holds that no man can be convicted on such evidence.

Ladies and gentlemen of the jury, there is not the slightest doubt in my mind that the Defendants in this case have established, by means of cross-examination, and by means of the expert testimony given by the various witnesses, experts in their fields, that the testimony given by the witnesses in the Four Gospels, is incredible. The Defense has followed the well-recognized, just and logical rule, that when a written narrative is the sole basis for an indictment, its reliability can be ascertained only by a close inspection of its parts, comparing them with each other, and then with collateral and contemporary facts and circumstances.

This the Defense has done very scrupulously. We have examined the records with the minutest care. We have discovered many omissions made by the witnesses. Many important statements made by one of the four witnesses are not included by the others. True, some of these omissions have been justified by Christian commentators on far-fetched grounds; but from a legal point of view they cannot be explained away. We do not deny that an omission, in strict legal contemplation, is not a contradiction. If, however, eye-witnesses claim to testify to one and the same occurrence, and some of them omit facts and circumstances which are related by the other witnesses, although they would tend to strengthen and corroborate the accusations made by them, then such

omissions are tantamount, in the opinion of the Defense, to contradictions, because it is to be assumed that if the eye-witnesses had been aware of those facts, they would surely not have omitted them.

But, ladies and gentlemen of the jury, I will not tax your patience and indulgence by pointing out to you all these omissions. Nor will I make an endeavor to enumerate all the contradictions and discrepancies that have been adduced by means of the cross-examination and by the opinions of the experts. Such an attempt would prove too extensive and tedious. Indeed, it would be briefer and easier to enumerate the few statements made by the witnesses which can be said to be in harmony. The Defense will therefore limit itself only to the most salient points of contradictions which have been proved during the trial.

JEWISH DIGNITARIES SEEK TO KILL JESUS

Let us turn briefly to the incidents, related by the witnesses for the Prosecution, leading to the arrest of the Nazarene. These, of course, have only an indirect bearing upon the issues involved in this case. Nevertheless, an examination of the testimony concerning these incidents, will tend to test the credibility of the witnesses.

Only two of the four witnesses related (Matthew XXVI : 3-4; Mark XIV : 1) that the Jewish leaders sought how they might take Jesus by craft or subtlety and kill him. The third witness (Luke XXII : 2) mentioned neither "craft" nor did he mention that it was two days before the Feast of Passover, as stated by the first two witnesses.

Thus the members of the highest Jewish court of the Holy Land stand by mere assertion accused of the intent to use their high office for the commission of murder. To a Jew, of course, such a charge is incredible. But not only to a Jew.

You have heard Dr. Ben Joseph quote Professor Husband ("The Prosecution of Jesus," p. 73), when commenting on the statement made by St. John (VII : 1), "because the Jews sought to kill him," "The blunt remark of John is doubt-

less the misleading statement of inexperience and partisanship. One should not conclude that the Sanhedrin had in mind anything except a genuine investigation and trial of Jesus." And again quoting from page 75, "But the assumption often made that they [the Sanhedrin] intended to have him 'murdered,' or put him to death without due process of law, is quite unwarranted."

We heartily agree with this Christian authority; but we are compelled to ask why, on the strength of these "misleading statements of inexperience and partisanship," he speaks of, and by virtue of these "unwarranted" assertions, hundreds of thousands of Jews have been killed, and the Jewish people have been persecuted mercilessly by his co-religionists?

Dr. Akiba ben Joseph, expert in Jewish jurisprudence, has pointed out to you (pages 398-401, *supra*), ladies and gentlemen of the jury, that it would be ridiculous to contend that the Jewish leaders of thought and religion would have plotted to kill an innocent man. From time immemorial, the Jewish people had shunned the shedding of blood. The Jews were the first people on earth to recognize that the life of every human being was not only the property of the individual and his immediate family—a conception held among nations of antiquity as well as of more modern times—but that it belonged also to the state or the commonwealth.

It was for this reason that the Law of Moses ordained (Num. XXXV : 31-32) that no murderous act, not even that of unintentional murder, might be expiated by payment of ransom (*kopher*) to the family of the victim, a practice which prevailed among many other nations of antiquity. The reason given by the Lawmaker for this rule of law is very explicit (l. c. 33-34): "So ye shall not pollute the land wherein ye are; for blood defileth the land; there can be no expiation for the land for the blood that is shed therein, but by the blood of him that shed it. Defile not therefore the land which ye shall inhabit, wherein I dwell: for I the Lord dwell among the children of Israel." The Jews were thus given to understand that life, as a gift of God, is not merely the private property of the individual and his family, but also that of the land, the

commonwealth. Even the unintentional murderer was not permitted to go unpunished but had to be confined in one of the cities of refuge either until the end of his natural life or until the death of the then high priest (Num. XXXV : 22-29; Deut. XIX : 2-7; Josh. XX : 1-6).

You have also heard the testimony of Dr. ben Joseph, that all modern writers know that the Hebrew commonwealth and the institutions which regulated it, were pervaded by a deep sentiment of justice and law. With regard to capital cases, there can be no doubt that long before the time of the Nazarene the value set by the law upon the life of a Hebrew citizen had led to extraordinary precautions. The Jewish jurists safeguarded the culprit alleged to be guilty of a capital offense with so many rules and regulations that it was almost impossible to convict any person of a capital offense. They did this because at heart they opposed capital punishment, in spite of the divine commandment.

Is it not evident, ladies and gentlemen of the jury, that the accusation that the Sanhedrists conspired to commit downright murder is absurd and ridiculous? Was this a serious accusation? Or was it rather an obvious attempt by the early Christians to fasten responsibility for the death of the Nazarene upon the Jewish people?

Now, ladies and gentlemen of the jury, the witnesses for the Prosecution wish you to believe not only that the wise jurists of Jerusalem were really bloodthirsty scoundrels, plotting to commit murder in the sanctum of the palace of the high priest, but that they were also extremely stupid. Surely, if murder was their purpose, assassins were available for the deed. Had they not the means and the power to contrive a secret assassination and thus avoid attracting the attention of the tens of thousands of pilgrims who had come to Jerusalem to celebrate the Passover.

Permit me to quote again Professor Husband ("The Prosecution of Jesus," p. 109): "And yet one cannot avoid the suspicion that the evangelists have mistaken the purpose of the Sanhedrin. If they formed a design to kill Jesus, it is astonishing that they did not carry their plan into effect in

the garden of Gethsemane, instead of arresting him. The Gospels say that they wished to do their work "by subtilty, lest a tumult arise among the people." If, however, they desired to avoid arousing the feelings of the people against themselves, the secret murder of Jesus in the garden would have been a much less potent stimulus to hostility than the illegalities so commonly assumed to have occurred in the trial and the public execution."

These witnesses wish you to believe, ladies and gentlemen of the jury, that the Jewish leaders dreaded the fury of the masses, and therefore decided to postpone the killing until after the Feast. But consider their abysmal stupidity! They were afraid to act during the Festival season, because of the masses, and then they marched with the victim, at the head of the very same masses, through the streets of Jerusalem in broad daylight on the first day of the Festival, from the palace of Caiaphas to the judgment hall of the Roman Procurator (Matthew XXVII : 2; Mark XV : 1; Luke XXIII : 1; John XVIII : 28). Were these men imbeciles? The third witness goes even further and tells us (Luke XXIII : 7-11), that they marched with the Nazarene from the judgment hall of Pilate to the palace occupied by the Tetrarch Herod and back! Was this an expression of fear, or of craft or of subtlety?—or was it divine inspiration on the part of the witnesses?

THE ANOINTMENT

Now, ladies and gentlemen of the jury, let us have a look at the story of the anointment. The first two witnesses for the Prosecution testified (Matthew XXVI : 6-13; Mark XIV : 3-9) that within the two days before the Feast of Passover, while the Nazarene was in Bethany in the house of Simon the leper, a woman came with a precious box of ointment, and breaking the box, poured the ointment on the Nazarene's head while he sat at meat. The disciples protested the extravagant act of the unidentified woman, saying that such wealth should be distributed among the poor, but

Jesus praised her, saying, "the poor ye have always, but me ye have not." Jesus went on to explain that she had done it for his burial, and that her name should therefore be told as a memorial of her wherever the Gospel would be preached in the world.

The fourth witness, too, testified to a similar story (John XII : 1-8), and it is agreed by Christian authorities that his story is meant to refer to the same incident.¹ John, however, testified that it took place six days before the Feast of Pass-over, thus contradicting the other two witnesses who expressly stated that it took place within two days preceding the Festival.

The fourth witness testified that this woman was Mary Magdalene out of whom the Nazarene had driven seven devils, and that the anointing took place not in the house of Simon the leper, but in the house of Lazarus where a certain Martha acted as hostess. This witness further contradicted the other two by stating that the woman anointed the feet of the Nazarene and not his head, and he added a very interesting touch, that the woman wiped the feet of the Nazarene with her hair.

The fourth witness further contradicted the other two by stating that the only one who protested against this woman's extravagant act was Judas Iscariot, who was a thief and did not care for the poor.

Now, ladies and gentlemen of the jury, you have heard Dr. Ha-Levi, an expert in Jewish religion, testify (pp. 350-351) that would have been unthinkable for a daughter of Israel to come into a house where men were assembled with her hair dishevelled and to wipe the feet of the Nazarene with her hair. It would have been considered an act of lewdness, and the Nazarene, as a son of Israel, should have shunned it.

This immodesty on the part of Mary has been fully discussed and explained by Dr. Ha-Levi. And the only special explanation that can be advanced is that the writer of this Gospel, bearing the name "The Gospel According to St.

John," was not a Jew and was not familiar with the Jewish religious laws or customs. This is but one of many proofs of that fact. (See John, notes 28, 40, 99, 148, and 191.)

Ladies and gentlemen of the jury, you have heard St. John pour out his wrath against Judas Iscariot, branding him a common thief. A Christian author (Gould, "Mark" XIV : 4) remarks: "John says it was Judas Iscariot and attributes it to his peculating habits, which this interfered with. It is a part of John's evident attempt to belittle Judas." But does not St. John's bitter indictment against one of the Disciples also reflect upon his lord Jesus? Did not this very witness say of the Nazarene that he knew all things (John XVIII : 4), and that in his hands the Father had given all things (John XIII : 3)? How, then, would it have been possible for the Nazarene who had foreknowledge of everything to permit a base thief and a vile betrayer to be one of his most intimate companions, one of his chosen Twelve Disciples and of all things, his treasurer? Surely there is an error somewhere. Was it the Nazarene who erred? or John? Is it on the basis of such testimony that countless millions have been tortured and done to death?

The entire incident of the anointment is extremely difficult to fathom. It requires all the skill of a trained Christian theologian to find in it something other than its superficial demonstration of vanity and arrogance on the part of the Nazarene, whose desire for personal adulation exceeded his care for the poor whom "ye always have."

But the simple facts of who, when, and where—these are not the sole domain of the theologians. Even we common mortals have a right to expect clarity in these matters.

Which of the witnesses is to be believed concerning the simple question of where this anointment is supposed to have taken place? Did it take place in the house of Simon the leper, or in the house of Lazarus? Did it occur two or six days before Passover? Did all the disciples protest against the extravagant act of the woman, or only Judas who had larcenous intentions? Did the woman anoint the head or the feet of the Nazarene? This, of course, is up to you to decide. But do

not these irreconcilable contradictions prove that someone is telling an untruth?

JUDAS COVENANTS TO BETRAY

Now the testimony goes that Judas Iscariot betrayed the Nazarene. But again the witnesses disagree about this important incident. The first witness testified (Matthew XXVI : 14-15) that Judas was mercenary and that the only motive he had in offering to betray his master to the chief priests was a monetary consideration. Therefore when he contacted the chief priests, at some time during the two days preceding the Feast of Passover, he said to them, "what will you give me?" He wanted to know beforehand what he would get for his services, and they agreed to give him thirty shekels of silver. This you will agree was not a substantial sum of money for the treasurer of the Nazarene and his disciples, but Judas considered that sum sufficient for his services.

The other two witnesses, however, testified (Mark XIV : 10-11; Luke XXII : 4-5) that Judas made no such demand. According to them, he offered his services to the chief priests without asking for payment. But they were so pleased with his proposal that they, of their own accord, covenanted to give him money. No specific amount was mentioned.

Now, of course, since not one of these witnesses has claimed that he personally was present at the transaction between Judas and the chief priests, it is impossible to decide which of them, if any, has the story straight. It is not only a question of how many pieces of silver were involved, although Matthew's choice of the exact number, thirty, is interesting considering his absence at the time. A more important question is, what was the nature of the contract? What was Judas supposed to do to fulfill his part of the contract? Did he have only to identify Jesus, to point him out from the rest of the disciples, as the three Synoptic witnesses have told us? Or was such identification entirely unnecessary, because the Nazarene surrendered voluntarily to the arresting officers, as John (XVIII : 4-8) has told us?

What further complicates this apparently simple question is that John, who displayed so much hatred against Judas by branding him a thief, should have been most eager to report that Judas had entered into a bargain with the chief priests to betray his master, his lord, for the paltry sum of thirty shekels. But John says nothing whatever about it. Isn't it obvious, then, that John had never heard of this incident? Was this a mere invention on the part of the other witnesses, and is that also why they do not agree as to its details?²

PREPARATION FOR THE PASSOVER

Now, ladies and gentlemen of the jury, let us turn to the preparations for the celebration of the Passover meal. You have heard the first three witnesses tell three different stories about these preparations, while John, the fourth witness, in his testimony (John XIII), failed to mention the entire incident.

According to St. Matthew and St. Peter, both of whom were supposed to have been eyewitnesses, the disciples asked the Nazarene where he would have them prepare to eat the passover (Matthew XXVI : 17; Mark XIV : 12). But Luke disagreed with them, testifying (Luke XXII : 7-8) that Jesus of his own accord sent Peter and John to prepare the Passover.

Now, according to the first witness (Matthew XXVI : 18), the Nazarene told his disciples, "go to the city to such a man, and say to him, The master saith, My time is at hand; I will keep the passover at thy house with my disciples." This was evidently the first time that the subject was to be broached to the man. In his message, the Nazarene tried to arouse the man's sympathy by saying, "My time is at hand," in other words, you have to grant my request for it is perhaps the last one that I shall ever make of you.

But the testimony of this witness is contradicted by the other two Synoptic witnesses. They quoted (Mark XIV : 13-14; Luke XXII : 10-11) the Nazarene as commanding his disciples: "Go ye into the city, and there shall meet you a man bearing a pitcher of water: follow him. And ye shall say

unto the goodman of the house, Where is the guestchamber, where I shall eat the passover with my disciples." So, ladies and gentlemen of the jury, here you have these two witnesses contradicting the first one in two essential details. First, they claim that the Nazarene did not tell them who the man was, but that they were to recognize him by his carrying a pitcher of water. Secondly, they indicate that prior arrangements had been made with the man, and that they had merely to ask, "where is the guestchamber," etc. . . . "and he will show you a large upper room furnished and prepared." So, the Nazarene even knew the nature of the room.

It might be asked, of course, what is there to this narrative that warrants so close an examination? Is not the whole incident trivial? And even if it is proven that in all details the narrators have contradicted one another, what then? Is it not still trivial?

Of course. But we must remember that this is a strange case, that out of such trivialities as these has been spun the suffering of a people.

THE LAST SUPPER

Let us review the testimony of the witnesses for the Prosecution concerning the next incident, the Passover meal. Surely in the eyes of the disciples this last supper must have been an important occurrence. They should have remembered it well. They should not have contradicted one another about its vital details. But even in this, they disagree.

The first three witnesses testified (Matthew XXVI : 20-29; Mark XIV : 17-25; Luke XXII : 14-30) that the Nazarene and his disciples observed the Jewish Passover rituals that night in accordance with the law, on the fourteenth day of the Jewish month of Nisan after dark, which, according to the Jewish time-reckoning, was considered as the fifteenth day of the month, because the day began and ended at sunset.

The fourth witness, however, disagreed, saying that this was an ordinary weekday supper, because it was not the fourteenth day of the month, but the thirteenth (John XIII : 1-4; XVIII : 28). So they are in disagreement concerning a most

vital fact, whether it was the Passover-eve or an ordinary evening, not a Festival.

But that is not all, ladies and gentlemen of the jury. All these witnesses agreed that the supper in question took place on a Thursday evening. Now, if we are to believe the first three witnesses that it was Thursday, the fourteenth of Nisan, which was Passover-eve, then we must conclude, with the expert, Dr. Ha-Levi (pages 373-4, *supra*), that it occurred in the year thirty of the Christian era. If, however, we are to accept the testimony of St. John, that that Thursday was the thirteenth of the month, and Passover occurred that year on Friday evening, then it was the year 33 of the Christian era.

This is a difference of not one day but of three years. If the day in controversy were any ordinary day, then one might argue that a witness is apt to err, and his memory may fail him, and he therefore may not recall whether an event occurred on the thirteenth or the fourteenth of the month. But such is not the case here. Passover-eve was, and still is, a sacred evening among the Jews, a day of many elaborate rituals. How, then, could any Jew fail to recall whether it was Passover-eve or not? How would it be possible for the disciples of Jesus to confuse a Passover-eve with an ordinary weekday evening?

According to tradition, and such is the accepted view of all modern Christian authors, Mark wrote down what he heard from Peter (Eusebius, "Hist. Eccl." III, 39). Surely Peter could not have committed such a blunder about the date of the crucifixion, neither could Matthew. But John, he, too, was present at this all-important supper. Is his memory to be more suspect than Peter's and Matthew's?

The entire matter is most disturbing, especially when you consider Luke's testimony (Luke XXII : 8) that the Nazarene had sent Peter and John, saying to them that very afternoon: "Go and prepare us the passover that we may eat." According to St. Luke, then, St. John himself, who contends that it was not Passover-eve, was sent by the Nazarene to prepare the Passover! How can this be reconciled? Was it Luke who failed to tell the truth? Was it John?

And what about the testimony of the other two eye-witnesses, St. Matthew and St. Peter, who testified that all the twelve disciples—and surely St. John was one of them—came in the evening with the Nazarene and observed the Passover (Matthew XXVI : 20-29; Mark XIV : 17-25)? How can John deny them and say that it was not Passover-eve? Somebody has testified falsely regarding the most important fact: the date of the Last Supper the Nazarene had with his disciples. Of course, it is up to the jury to decide who of the witnesses was telling the truth. But can you condemn millions of people to misery and death on the strength of such inconsistent testimony?

THE NAZARENE PREDICTS THE BETRAYAL

Now it has been said that the Nazarene predicted to his disciples, during that evening meal, that one of them would betray him. When that prediction was made is not certain. According to two witnesses, Matthew (XXVI : 21, 26) and Peter (Mark XIV : 18, 22), the prediction was made immediately after they sat down to eat. Luke (XXII : 20, 21) testified that it was made at the end of the meal. John (XIII : 2, 21) the fourth witness, agreed with Luke, but further fixed the time by stating that it was after the Nazarene had washed the feet of his disciples—an incident, by the way, which was not mentioned by any of the first three witnesses. Of course, the witnesses again disagree—as usual.

What happened after this prediction, is likewise uncertain, because the witnesses continue to disagree. The first two witnesses testified (Matthew XXVI : 22; Mark XIV : 19) that the disciples upon hearing this sad news from the mouth of their worshipful master, were sorrowful, and each one asked the Nazarene, "Is it I?" But not so Luke, who averred (XXII : 23-24) that after idly speculating among themselves, the disciples fell to arguing, and then, "there was also a strife among them, which of them would be accounted the greatest." They were far too vain and envious to be grieved about their master's fate.

It is well to remember, ladies and gentlemen of the jury,

this was not the first example of ambitious strife among these saintly Apostles. Once before, according to this same witness (Luke IX : 44-46), the Nazarene had told his disciples that "the son of man shall be delivered into the hands of men." But the disciples failed to understand these mysterious words; "they understood not his saying, and it was hid from them, that they perceived it not . . . Then there arose a reasoning among them, which of them should be the greatest." It might be asked what made them quarrel as to who should be the greatest, if they did not understand the deep mystery of these simple words uttered by their master? Surely, they were either great dullards or great hypocrites.

Peter, too, told of a similar incident. He testified (Mark IX : 31-34) that the Nazarene had told the disciples in very simple language: "The son of man is delivered into the hands of men, and they shall kill him: and after that he is killed, he shall rise the third day." Yet St. Peter himself admitted that the disciples failed to understand him. Who could be so dull as not to understand the very simple words, "and they shall kill him"? However, this was the witness' contention—and he surely must have known it because he was one of those disciples who failed to understand—and we must accept it as true, according to the contention of the Prosecution.

On these two occasions, then, the witnesses themselves found an excuse—perhaps, a somewhat clumsy excuse—for the strife that took place among the disciples: sheer lack of understanding. However, the strife recorded now by St. Luke was no longer due to ignorance or lack of understanding. This time they understood their master perfectly, that one of their group would betray him into the hands of men to be killed. This contention is proved by the testimony of this witness (Luke XXII : 23) that the disciples nonchalantly inquired among themselves, "which of them it was that should do this thing?" Yet this witness asks you to believe that these saintly men, chosen by Jesus himself to be his Apostles, were neither grieved nor angered, nor did they make an attempt to find the scoundrel, but disregarding their master's words, they began to quarrel among themselves as to who would be

considered worthy of succeeding him! Surely this must have been an invention of St. Luke's! Else how shall we explain the wretchedness of these saintly Apostles?

Now, ladies and gentlemen of the jury, we have the most perfect disagreement of the witnesses for the Prosecution regarding the manner in which the Nazarene pointed out the betrayer on this occasion.

According to Matthew (XXVI : 21-25), each of the disciples asked of the Nazarene, "Is it I?" and to each one he evidently gave a negative reply. Finally, Judas Iscariot, too, asked, "Is it I?" And the Nazarene's reply was, "Thou hast said." Consequently, the identification of the betrayer was made by the Nazarene himself directly to Judas Iscariot in the presence of the disciples.

Peter testified (Mark XIV : 18-20) that each of the disciples asked, "Is it I?" and that the Nazarene gave the evasive reply: "It is one of the twelve, that dipped with me in the dish." As they all dipped with him in the dish, and not Judas alone, there was no direct identification of the betrayer at all by the Nazarene.

The third witness made no mention of an identification by the Nazarene. He testified (Luke XXII : 21-23) that the disciples were too unconcerned about the whole affair to allow it to interfere with their "ambitious contention."

The fourth witness, St. John, agreed with the first witness, St. Matthew, that the Nazarene did point out the betrayer to his disciples on this occasion, but differed with him completely as to the manner in which the identification was made. He related (John XIII : 21-26) that after the Nazarene had foretold of the betrayal, they "looked at one another, doubting of whom he spoke." They dared not ask their master who the betrayer would be. Even the impetuous, daring Peter was afraid to ask that simple question of his master. Why? That will be left for the jury to answer. But there was one disciple, whose saintly name no one dared to disclose, whom the Nazarene loved, and who was leaning on Jesus' breast.

Peter thereupon beckoned to this beloved disciple to ask

the Nazarene to identify the betrayer. Then he, still lying on the bosom of the Nazarene, asked him, "Lord, who is it?" To which the Nazarene replied, "He it is, to whom I shall give a sop, when I dipped it." And then he dipped a sop and gave it to Judas Iscariot.

Now, ladies and gentlemen of the jury, you have three eyewitnesses, three Evangelists, disagreeing among themselves about a very simple incident. It is up to you to decide who of these three witnesses is telling the truth. But can such testimony as this warrant the slaughter of innocents?

THE EUCHARIST

St. Luke (XXII : 19) testified that during the course of the Last Supper, the Nazarene gave his disciples bread and said: "This is my body which is given for you." Now when so strange a procedure as this—the vicarious eating of one's body—occurs, no one present would be likely to forget any detail connected with it. But oddly enough, the other two Synoptists, who were supposed to have been participants in the Lord's Supper, report that Jesus only said to them (Matthew XXVI : 26; Mark XIV : 22): "Take, eat; this is my body," without mentioning the most important detail—its remissive significance, "which is given for you." Even if only from the technical viewpoint of accurate reporting, the inclusion by the one, and the omission by the two are damning evidence of incompetence or something worse, dishonesty.

There is a disagreement also about what the Nazarene actually said when he gave his disciples the cup of wine to drink. The fourth witness, St. John, made no mention either of the bread-eating or of the wine-drinking, for the simple reason that since he had contended that this happened on a weekday and not on the Passover, there was no wine-drinking, and no other rituals were observed.

The third witness, St. Luke, testified (XXII : 17, 20) that the Nazarene gave his disciples two cups of wine to drink, and that when he gave them the second cup, he said: "This cup is the new testament in my blood which is shed for

you." According to this witness, the Nazarene did not divulge the purpose of shedding his blood. He, however, quoted the Nazarene as saying that the benefits accruing from the Nazarene's sacrifice were to be limited only to the immediate circle of his disciples—"for you."

The second witness, St. Peter, testified (Mark XIV : 23-24) that the Nazarene gave his disciples only one cup of wine, and he quoted the Nazarene as saying: "This is the blood of the new testament, which is shed for many." This statement alleged to have been made by the Nazarene, would seem to imply that he must suffer and sacrifice his life for the benefit of "many," perhaps for the whole world and for all generations to come. This witness, too, failed to disclose what the nature of the benefits would be that "many" would derive from Jesus' sacrifice.

The first witness, St. Matthew, agrees with St. Peter that the Nazarene gave his disciples only one cup of wine to drink (Matthew XXVI : 28), but he quoted the Nazarene as saying: "For this is my blood of the new testament, which is shed for many for the remission of sins." This theory of vicarious atonement, that the Nazarene was sacrificed by his Father to remit the sins of the world, was mentioned by this witness only, and not by the others.

So, ladies and gentlemen of the jury, these witnesses who testified by divine inspiration and guidance, do not agree even as regards a statement made by their master in their presence and directly to them, a statement of most vital significance to the world. This is most incredible, indeed.

And to climax this account, ladies and gentlemen of the jury, the witnesses for the Prosecution wish you to believe that the Nazarene told his disciples that when the kingdom of God would be established, they would celebrate together drinking wine (Matthew XXVI : 29; Mark XIV : 25)! This promise is embellished by the third witness (Luke XXII : 18, 29, 30), who would have them not only drink wine, but also eat at the master's table in his kingdom, and sit on thrones judging the twelve tribes of Israel! Thirst and hunger, food and drink in the spiritual kingdom of God!

Next we have the testimony of the four witnesses for the Prosecution concerning the Nazarene's prophecy of Peter's denial of him. Again we have irreconcilable contradictions.

The first two witnesses testified (Matthew XXVI : 30-35; Mark XIV : 26-31) that the prediction was made by the Nazarene when they reached the Mount of Olives after the Passover-eve ceremonies. According to the third witness (Luke XXII : 14-39), it took place in the house, somewhere in Jerusalem, where they celebrated the Passover, before they went up to the Mount of Olives. The fourth witness testified (John XIII) that it took place somewhere in Bethany, before they crossed the brook of Cedron (John XVIII : 1), which was near the Mount of Olives.

The first two witnesses testified (Matthew XXVI : 31; Mark XIV : 27) that the Nazarene addressed all his disciples on this occasion, saying: "All ye shall be offended, etc." And the third and the fourth witnesses testified (Luke XXII : 31-32; John XIII : 36-38) that the Nazarene spoke only to Peter.

The first two witnesses testified (Matthew XXVI : 32; Mark XIV : 28) that at this point the Nazarene said: "After I am risen again, I will go before you into Galilee." The third and the fourth witnesses, however, had the Nazarene saying nothing of the kind on this occasion (Luke XXII : 31-35; John XIII : 36-38).

The first two witnesses testified (Matthew XXVI : 34-35; Mark XIV : 30-31) that Peter's promise to risk his life for his master was made "after" the Nazarene had predicted Peter's denial of him. And the third and the fourth witnesses testified (Luke XXII : 33-34; John XIII : 37-38) that Peter made the promise "before" the Nazarene's prediction of his denial.

The second witness, St. Peter himself, testified (Mark XIV : 30) that the Nazarene told him that he would deny him thrice before the cock would crow "twice." While the

other three witnesses testified (Matthew XXVI : 34; Luke XXII : 34; John XIII : 38) that the Nazarene said that Peter would deny him three times before the cock crowed "once."

The first two witnesses testified (Matthew XXVI : 35; Mark XIV : 31) that not only Peter but all his disciples promised to remain loyal to the Nazarene even at the cost of their lives. But the third and the fourth witnesses testified (Luke XXII : 33-35; John XIII : 37-38) that Peter alone made that promise to the Nazarene.

What gross presumption is this, ladies and gentlemen of the jury, that permits three witnesses to contradict Peter, the one person directly interested in the incident related by them? He was the one to whom the Nazarene addressed himself. Surely he ought to know what took place. I ask you, can a jury bring in a verdict of guilty upon the strength of such unreliable testimony?

The third witness would have us believe that Jesus, the prince of peace, ordered his disciples to sell everything they owned and to purchase swords (Luke XXII : 35-38). This witness would have us believe that the Nazarene was ready to resist arrest even at the cost of shedding blood. Is not this statement by St. Luke in contradiction to the tenets of the Nazarene's religious ideals? And is that why the other Evangelic witnesses make no mention of this command on the part of their lord? Or did the incident simply never happen at all?

THE AGONY AT GETHSEMANE

Now, ladies and gentlemen of the jury, we have been told by the witnesses for the Prosecution of the events that were alleged to have taken place at Gethsemane. The fourth witness, St. John, omitted the Agony of Jesus at Gethsemane, so vividly and minutely described by the three Synoptic witnesses: his prayers of agony and the unbelievable indifference displayed by the disciples in falling asleep three times while their master went to pray for his life.

The reason for this omission by St. John is obvious. This Evangelist was not inclined to point out to the followers of Jesus the weak, human aspect of the Nazarene. He wished to present him in the light of a celestial being, not subject to the agony and suffering of the ordinary human being. The prayer of the Agony, as told by the three Synoptic witnesses would certainly have been inconsistent with the prayer of Consecration and Farewell quoted by John, and John only (John XVII). The sublime calm, resignation, and dignity depicted by the witness in chapter XVII, could not be made to harmonize with the sadness and shrinking of the prayer, "remove this cup from me; yet not what I will, but that thou wilt." This Evangelist did not want his lord to appear to posterity as a coward, whining and complaining, and afraid to meet the ordeal preordained for him by his Father.

As to the evidence given by the first three witnesses with reference to the incident at Gethsemane, they contradict one another in many details. First, they disagree about the place. The first two witnesses testified (Matthew XXVI : 30-35; Mark XIV : 26-31) that the Nazarene and his disciples, after having made the prediction of Peter's denial on the Mount of Olives, went to a place called Gethsemane and here was the scene of the Agony (Matthew XXVI : 36; Mark XIV : 32). The third witness testified (Luke XXII : 39-46) that the Agony occurred as soon as they reached the Mount of Olives, and he makes no mention at all of a place called Gethsemane.

Secondly, the first two witnesses testified (Matthew XXVI : 36-37; Mark XIV : 32-33) that the Nazarene ordered his disciples to remain somewhere behind, and took only Peter and the two sons of Zebedee with him. The third witness (Luke XXII : 39) had all the disciples following him.

Thirdly, the other two Synoptic witnesses testified (Matthew XXVI : 38; Mark XIV : 34) that the Nazarene told the three disciples, "my soul is exceeding sorrowful, even unto death," and therefore he begged of them, "tarry ye here and watch with me." The third Synoptic witness testified (Luke XXII : 40) that the Nazarene spoke to all his disciples, and

that he spoke not of himself but of them, telling them to pray for their own good that they enter not into temptation.

Fourthly, the Synoptic witnesses are in disagreement about the prayer offered by the Nazarene. This is a difference not merely in words but in content and meaning as well.

The first witness testified (Matthew XXVI : 39) that the Nazarene prayed the first time: "O my Father, if it be possible, let this cup pass from me." In other words, Jesus prayed that if it were possible for the Almighty to alter His decree, then the cup of punishment should be removed from him. Jesus made his prayer conditional upon the possibility of removing the cup.

The second witness testified (Mark XIV : 36) that the Nazarene prayed: "Abba, Father (in Greek *pater*), all things are possible unto Thee; take away this cup from me." This is a direct and unconditional statement, and quite different from the Matthean version. Here there is no "if," no question of possibility. This, ladies and gentlemen of the jury, is a contradiction about an essential question relating to an attribute of the Almighty, whether His decree is subject to change.

The third Synoptic witness testified (Luke XXII : 42) that the Nazarene prayed: "Father, if Thou be willing, remove this cup from me." This pagan Evangelist did not seem to know anything at all about the theological question, whether or not it is possible for the Almighty to alter his declared decree. To him the Almighty was like an ordinary king of flesh and blood, His decree changing with His changing moods and will.

Thus it is seen that the three prayers recorded by the three Synoptic witnesses have divergent theological meanings. Now, ladies and gentlemen of the jury, how are we to tell which of the three prayers is the correct one? The question is doubly difficult because not one of the disciples was within hearing distance of the praying Nazarene. There can be only one true fact, but there can be many inventions and guesses. We are left to choose for ourselves.

The third witness testified (Luke XXII : 43-44) that his

lord Jesus was apparently so overcome by grief and fear that he required the encouragement of an angel from heaven. Even the mere thought of his ordeal so terrified him that, despite the succor afforded him from Heaven, "his sweat was as it were great drops of blood falling down to the ground." This description is thoroughly in keeping with the traditions of this pagan witness, with all the earmarks of a pagan mythology. But even to Christians it is sometimes too distasteful to swallow. Rice ("Commentary on Luke," a. 1.) remarks: "Mental anguish, causing blood to ooze from the body like sweat is certainly not descriptive of a divine nature."

The first two witnesses for the Prosecution further testified (Matthew XXVI : 40-41; Mark XIV : 37-38) that when the Nazarene returned from his prayer, he found the three most faithful disciples asleep, and he was disappointed and said to Peter: "What, could ye not watch with me one hour?" But, according to the testimony of the third witness (Luke XXII : 45-46), he found all his disciples sleeping for sorrow, since he had withdrawn from all of them to offer his prayer (verses 39-40), and all he said was: "Why sleep ye? rise and pray, lest ye enter into temptation." Is there any similarity between these two narratives? The only similarity is the fact that those great heroic Apostles were so devoted and faithful to their master that they fell asleep when he was in agony, with blood, as it were, dripping from his anguished body.

And what happened thereafter, ladies and gentlemen of the jury?

The first witness testified (Matthew XXVI : 42) that the Nazarene "went away again the second time, and prayed, O my Father, if this cup may not pass away from me except I drink it, Thy will be done." This second prayer of the Nazarene, according to Matthew, was really a submission to the will of God. The second witness, however, testified (Mark XIV : 39) that the second prayer offered by the Nazarene was exactly in "the same words" as the first, a prayer for release from his ordeal. And what did the third

witness testify (Luke XXII : 46-47)? That there was no second prayer offered by Jesus at all.

Now, ladies and gentlemen of the jury, let us look at these salient contradictions between the first two Synoptic witnesses and the third one, regarding the Agony:

1. The first two witnesses stated (Matthew XXVI : 40-46; Mark XIV : 37-42) that the three Apostles, Peter, John, and James, had three sleeping sessions. But the third witness stated (Luke XXII : 45-46) that not only three disciples fell asleep but all of them fell asleep, and that there was only one sleeping session and not three.

2. The other two witnesses testified (l. c.) that Jesus left his three disciples three times, and on each occasion offered a prayer. And the third witness testified (l. c.) that Jesus left his disciples only once, and prayed only once.

3. The first two witnesses testified (l. c.) that when Jesus returned to his disciples the third time, he told them to keep on sleeping and take their rest, and then prophesied, while they were still sleeping, that the hour was at hand, and that the son of man was betrayed. The third witness denied their statement, and averred that all that Jesus said on this occasion was, "Rise and pray, lest ye enter into temptation." There was no utterance of prophecy and there was no expression of paternal compassion shown to the "children."

4. The first two Synoptic witnesses testified (Matthew XXVI : 46-47; Mark XIV : 42-43) that when Jesus returned the third time from offering his prayers, he said to the three disciples: "Rise, let us go, he that betrayeth me is at hand," and while he was speaking these words, the arresting officers came. The third witness testified (Luke XXII : 46-47) that the officers came to arrest Jesus upon his first and only return when he was saying, "Why sleep you? rise and pray, lest ye enter into temptation."

Now, ladies and gentlemen of the jury, here you have the four witnesses for the Prosecution testifying to a certain incident involving Jesus and three of the witnesses. One

seems to know nothing at all about this incident. The other three differ in every detail. Is this the type of evidence on which you can send millions of people to their doom?

THE ARREST

I know, ladies and gentlemen of the jury, that it is getting monotonous to be compelled to listen to these long lists of contradictions. You have already heard me mention so many of them that perhaps you think they should suffice. Nevertheless, I ask your patience and indulgence. This, as you see, is not an ordinary case. It is the only one of its kind in the annals of court history. It is the most important case that has ever reached any court of law. And you, ladies and gentlemen of the jury, have in a sense been selected by Providence to be given the privilege to weigh and consider the evidence adduced by the witnesses in the most important case of all time. That is why I ask you to be patient with me as I proceed to point out the contradictions in the testimony of the witnesses, because I must not, under the circumstances, neglect any opportunity. I would be considered guilty before God and man, if I failed to avail myself of every opportunity offered to me, considering the weighty responsibility resting on my shoulders, defending as I must, not one but millions of lives. Thank you.

Now, ladies and gentlemen of the jury, we come to the incidents related by the witnesses which have a direct bearing upon the issue at bar. The first relates to the arrest of Jesus.

The first two witnesses testified (Matthew XXVI : 47; Mark XIV : 43) that the apprehending party consisted of a great multitude armed with swords and staves who had been sent by the chief priests and elders of the people. The third witness in his testimony (Luke XXII : 52) added this most incredible item, that among the arresting officers on this Passover-eve were included the highest and most respectable dignitaries of the land, the chief priests and the elders of the people.

In this connection, the Christian author, Professor Hus-

band ("Prosecution of Jesus," pp. 77-79) says: "Luke introduces a new group, not mentioned by Mark or Matthew, among those who entered the garden in search of Jesus, for he says not only that a multitude came, but among them were 'the chief priests and captains of the temple and elders.' But it is extremely improbable that the chief priests and the elders would be engaged in such an enterprise, for they were members of the Sanhedrin, the highest administrative and juridical body of the nation, and the presence of these officials in the 'multitude' would be, to say the least, most undignified. Nor is it at all easy to see in what way the members of the Sanhedrin could be of the slightest assistance in making the arrest. The majority of the writers on the subject of the arrest, anxious to show that Jesus was a victim of a plot contrived by the Jewish magistrates, assert that there was no necessity for the presence of these persons at the scene of the arrest, but that they appeared in the garden with the crowd, because of their great eagerness to witness the accomplishment of their desire. One is justified in becoming impatient of this method of interpretation. . . . Whatever may have been the origin of this portion of Luke's narrative, it cannot be correct."

The fourth witness testified (John XVIII : 3, 12) that included in the arresting party was a whole cohort of Roman soldiers with their commanding officer. Incidentally, I ask you to recall the opinion of Dr. Nerva, expert in Roman law, that it would have been impossible for the Jewish authorities to have secured the aid of the Roman Procurator in arresting Jesus.

There are many minor discrepancies that have been pointed out by me on cross-examination, and I have no doubt that these are still fresh in your minds, ladies and gentlemen of the jury. I shall, therefore, limit myself to the most salient points of difference in the testimony.

The first witness testified (Matthew XXVI : 50) that after Judas had kissed the Nazarene, the latter replied: "Friend, wherefore art thou come?" The second witness testified (Mark XIV : 45-46) that the Nazarene said noth-

ing at all to Judas. The third witness testified (Luke XXII : 48) that the Nazarene said to Judas: "Betrayest thou the son of man with a kiss?" The fourth witness, St. John, does not know anything at all about this incident. According to his testimony (John XVIII : 4-6), there was nothing said either by Judas to the Nazarene or by the Nazarene to Judas.

Even a Christian author occasionally admits that it is impossible to harmonize the Gospel statements. Swete ("Mark" XIV : 45) candidly admits: "There is much difficulty in harmonizing our Lord's answer."

According to the testimony of the first three witnesses (Matthew XXVI : 48-49; Mark XIV : 44-45; Luke XXII : 47), the betrayal of Judas Iscariot consisted in identifying the Nazarene by a kiss. According to the testimony of the fourth witness (John XVIII : 5, 8), there was no need for this melodramatic gesture, as the Nazarene identified himself. This is another example, ladies and gentlemen of the jury, of this Evangelist's desire to present his master as an unflinching hero. But whatever their motives may have been, these witnesses should have made an effort to agree on the facts.

The witnesses again cross one another concerning the incident of Peter's ear-cutting exploit. According to the first two Synoptic witnesses (Matthew XXVI : 50-51; Mark XIV : 46-47), Peter's attack on the servant of the high priest followed the arrest of the Nazarene. But the third and fourth witnesses (Luke XXII : 50, 54; John XVIII : 10, 12) say it preceded the arrest.

The third witness alone told us (Luke XXII : 49) that the disciples asked the Nazarene whether they should use violence against the officers. The other three witnesses, who were Jews, would not dream of putting such a question into the mouths of the disciples. But the pagan, Luke, had no such qualms about picturing his lord as a warrior. It was he who credited the Nazarene with having urged his disciples to prepare for the attack by securing weapons (Luke XXII : 35-38). It is only natural that he should now credit the disciples with the desire to use those weapons. After all, if

the pagan gods of his native land fought battles and had passions, why could not his divine master, the Nazarene?

This helps explain Luke's version of the incident; but it hardly adds to the authenticity of Luke's lonesome testimony.

The four evangelic witnesses contradict one another concerning the Nazarene's response to Peter's manly assault upon the servant. The first witness (Matthew XXVI : 52) quoted the Nazarene as saying, "Put up thy sword into his place: for all they that take the sword shall perish with the sword." This fine quotation, by the way, is not mentioned by any other witness, and is entirely out of character with the warlike deity depicted by St. Luke.

According to St. Peter, who allegedly was the hero who attacked the servant, the Nazarene said nothing to him. (Mark XIV : 47-48). It would appear, then, from this testimony that the Nazarene tacitly endorsed the assault.

The third witness testified (Luke XXII : 51) that the Nazarene made some ambiguous, unintelligible statement, "suffer ye thus far," a remark which has never been satisfactorily interpreted to this very day.³ Then, it seems, the Nazarene performed the startling miracle of replacing the lopped-off ear. Why the other three witnesses who were supposed to have been present should have omitted this amazing display of dexterity on the part of their master is beyond understanding. Perhaps you, ladies and gentlemen of the jury, can find some explanation for this omission. I can think of only one explanation. The miracle just never happened.

The fourth witness (John XVIII : 11) quoted the Nazarene as saying to Peter: "Put up thy sword into the sheath; the cup which my Father hath given me, shall I not drink it?" John is once again putting a bold face on his master. But he is unsupported in his efforts by any of the other witnesses.

Apart from the contradictory testimony, ladies and gentlemen of the jury, the entire incident is neither logical nor reasonable. Cutting off an ear, even an ordinary civilian ear, constitutes an act of mayhem under any system of juris-

prudence, and this is also true of the Roman and Mosaic Law (Ex. XXI : 24-25). The act becomes doubly criminal when the ear happens to belong to an arresting officer. Is it credible that Peter would neither have feared nor suffered punishment for his felony? What about the Roman centurion and his cohort of Roman soldiers who took part in the arrest, according to the testimony of the fourth witness (John XVIII : 3, 12)? Did they, too, condone this attack? Even if we suppose that Peter managed to escape the officers of the law, would he then have dared, a few hours later, to enter the palace of the high priest where all the arresting officers were gathered (Matthew XXVI : 58; Mark XIV : 54; Luke XXII : 55; John XVIII : 16)?

But this very Peter was a coward. Did he not flee from Gethsemane together with the other disciples in the dark of night (Matthew XXVI : 56), by his own admission (Mark XIV : 50)? For fear of the officers of the law, did he not deny his master three times, even on oath and by swearing and cursing, in spite of the fact that he had been forewarned by his master (Matthew XXVI : 34-35; Luke XXII : 33-34; John XVIII : 37-38)? To this cowardice, too, Peter himself confessed (Mark XIV : 29-31; 66-72). Is this the same man who we are to believe dared to resist and maim an officer of the law and was not afraid of the consequences?

Besides, would it not have been more plausible for this heroic Apostle to aim with his sword at the betrayer Judas Iscariot, who had betrayed the trust and faith not only of the Nazarene but also of his fellow-Apostles? Why maim an innocent officer of the law who was merely obeying the mandate of his superior?

Ladies and gentlemen of the jury, this was no time for the disciples to offer armed resistance, because it was obviously futile. But neither was this an appropriate time for the Apostles to take to their heels and flee. On the contrary, this was a perfect time for them to perform their Apostolic duties. This was their opportunity to make known their convictions to the Jews and to the world at large. This was the time to display their faith and their heroism by accom-

panying their master and appearing before the Sanhedrin in his defense. Here was their chance to prove that their master was the real Messiah, that he was not guilty of blasphemy but was truly at once the "son of man" and the "Son of God." As sole champions of the new religion, it was their obligation and their duty to be magnificent in the eyes of antiquity and of all posterity. But they ran away, instead.⁴

But if it is true that the Apostles wasted a splendid opportunity, it is also true that the Jewish authorities were even more negligent. Why, for instance, did they arrest only the Nazarene at Gethsemane when with no extra effort they might have seized all the Apostles as well. If they had not sufficient evidence against them, surely, if we are to believe the witnesses for the Prosecution, suitable evidence might easily have been manufactured. Had not these Apostles conspired with the Nazarene, accepted him as their lord and master?

It could not have been a question of insufficient force, for there was an armed multitude of arresting officers, including a Roman cohort and their tribune (John XVIII : 3, 12). And if the common officers of the law overlooked the importance of arresting the disciples, then there were present, according to the testimony of the third witness (Luke XXII : 52), "chief priests, captains of the temple, and elders." Surely these dignitaries ought to have known the advisability of apprehending the disciples!

But to such questions as these, the Prosecution has always a ready answer: The Biblical texts had to be fulfilled,⁵ and neither logic nor common sense could stand in the way of that fulfillment.

Let me remind you briefly, therefore, of the expert testimony given to you by Professor Kimhi (page 482 ff.). I believe he has proven conclusively that the witnesses for the Prosecution have consistently misunderstood, misinterpreted, and even falsified by misquotation the very Biblical texts of which they claim fulfillment. This expert emphatically stated in this Court, that there is not the slightest indication that these or any other Scriptural texts apply to the Naza-

rene or to any incident related about him. I think his proofs are not in need of repetition by me.

THE TRIAL BY THE SANHEDRIN

Now, ladies and gentlemen of the jury, we come to the evidence adduced by the witnesses for the Prosecution concerning the trial alleged to have been held by the Sanhedrin, the highest court at Jerusalem. One would naturally expect that an official document purporting to record the proceedings held by the Supreme Court would be true, consistent, and authentic. These proceedings constitute the cornerstone of the entire structure of the accusation against the Defendants. But instead of a plausible and consistent factual report, we find only the same conglomeration of contradictions, inconsistencies, and absurdities born of ignorance and bad faith.

You have heard the testimony of Dr. Ben Joseph, an expert in Jewish jurisprudence, proving that the witnesses for the Prosecution were entirely unfamiliar with the Jewish system of law and procedure and knew nothing of the constitution of the Jewish courts of law.

Permit me, ladies and gentlemen of the jury, to review some of the more salient contradictions and inconsistencies in the Prosecution's evidence.

The first witness testified (Matthew XXVI : 57) that the Nazarene was led by the apprehending officers to the palace of the high priest Caiaphas, where the chief priests, the scribes and the elders had been assembled. The second witness gave substantially the same account (Mark XIV : 53), with the slight variation that the members of the Sanhedrin collected "after" the Nazarene's arrival there, and with the neglect of mentioning the name of the high priest. The third witness mentioned neither the name of the high priest nor the fact that members of the court had assembled in his palace, but agreed that the prisoner was led to the house of the high priest.

But, ladies and gentlemen of the jury, along comes the fourth witness, St. John, with a totally different story (John XVIII : 13), that they "led him away to Annas first." They

did not lead him to Caiaphas, as has been expressly told by St. Matthew, but to Annas, his father-in-law. Why they led him to Annas, who had been removed from the high priesthood twenty years before this time, has never been logically explained by any commentator. But here you have a contradiction that no jury can disregard.

The fourth witness said nothing about the convening of the members of the Great Sanhedrin. Thus, along with Luke, he disagrees with the first two witnesses. Not only do they disagree about the place but about the very nature of the proceedings. According to the first two witnesses, the Nazarene was tried by a regular court convened for that purpose. But according to the ambiguous testimony of the fourth witness, the Nazarene was interrogated by only one official. To this very day, the ablest commentators have been unable to elucidate from the Johannine text whether this official was the ex-high priest Annas or the then high priest Caiaphas.⁶ The matter becomes even more complicated when the third witness tells us (Luke XXII : 54) that the Nazarene was not examined at all that night. And this is supposed to be a true report of a case tried before the Great Sanhedrin at Jerusalem!

The witnesses for the Prosecution proceed to disagree about the kind of evidence the court was seeking against the Nazarene.

The fourth witness makes no mention of any testimony of witnesses being wanted. He tells us only that (John XVIII : 19) "the high priest [Caiaphas? Annas?] then asked the Nazarene of his disciples and of his doctrine."

The third witness, in describing the morning trial held by the Jewish court (Luke XXII : 66-71), says nothing of an attempt by the members of the Sanhedrin to secure the testimony of witnesses, but that all the judges together tried to obtain a confession from the Nazarene, by asking (Luke XXII : 67): "Art thou the Christ? tell us."

Peter testified (Mark XIV : 55): "They sought for witnesses," meaning, no doubt, that they were looking for true witnesses to prefer charges against the prisoner.

But the first witness Matthew testified to the most incredible fact (Matthew XXVI : 59) that "the chief priests, and elders, and all the council sought false witness against Jesus, to put him to death," meaning that they preferred to have testimony that was untrue.⁷ Thus does St. Matthew reveal the depth of his malice and hatred against the Jews.

But, ladies and gentlemen of the jury, hatred and malice are poor substitutes for plausibility and accurate reporting. You have heard Dr. Ben Joseph testify in this Court concerning the qualifications required of one aspiring to a seat in the Great Sanhedrin. (p. 405, Sect. c) I ask you, ladies and gentlemen of the jury, is it possible that men with such qualifications would have stooped to the infamous act of seeking out false witnesses in a murderous conspiracy before their fellow-men and God?

Even the witnesses for the Prosecution, to suit their own convenience, admit that there were some honest men among the members of the Sanhedrin. To his regret, the third witness testified (Acts V : 29-39) that when Peter and the other disciples were put on trial before the Sanhedrin at Jerusalem, Gamaliel, a member of the Sanhedrin, stood up and so ably defended their cause, that they were released. When asked why this honest man, who was also a teacher of St. Paul ("who was brought up at the feet of Gamaliel"—Acts XXII : 3), now failed to defend the cause of Jesus, the Christian commentators offer the lame but convenient excuse that this Gamaliel was perhaps not present this time.

And what about Joseph of Arimathaea, of whom the third witness testified (Luke XXIII : 50), "a counselor, and he was a good man, and a just"? Why did he fail to denounce the acts of the members of the Sanhedrin when they tried to obtain false witnesses? Was he, too, not present at the trial?⁸

The fourth witness testified (John VII : 50-51) that when the chief priests and the Pharisees angrily asked the officers why they had failed to apprehend the Nazarene, one of the members of this very court, Nicodemus, boldly defended the Nazarene, saying: "Doth our law judge any man,

before it hear him, and know what he doeth?" And as a result of his protest, "every man went unto his own house" (l. c. 53), they ceased rebuking the officers, and did not again order them to arrest the Nazarene. Where, now, was this member of the Sanhedrin? Why did he refrain from protesting against this search for false witnesses, this open violation of the Law of God? The answer given by Christian commentators is that this just Nicodemus was also not present at the trial. But by patching up one discrepancy, these commentators merely create another. Did not St. Matthew expressly state (Matthew XXVI : 59): "The chief priests, and elders, and *all the council* sought false witness against Jesus, to put him to death"?⁹

One might imagine that if the Sanhedrin went to the trouble of looking for false witnesses, they would also have found it expedient to prepare these perjurers for their job. Only the rankest amateur would attempt to stage a drama with unrehearsed actors. But the stupidity of these learned members of the highest court at Jerusalem was apparently unique in history. What did these learned men do, according to the testimony of the first witness (Matthew XXVI : 60)? They actually proved that these false witnesses were false! They impeached their own witnesses! Was this not, ladies and gentlemen of the jury, a most ingenious procedure?

Even Christian authors, at times, become impatient with the Gospel narratives. Husband ("Prosecution of Jesus," p. 134) remarks: "The fact that the witnesses did not harmonize is ample proof that the Sanhedrin was endeavoring to conduct an honest investigation. Can it be believed that the Sanhedrists were so stupid that they were unable to coach their witnesses to avoid discrepancies. . . It must not be forgotten that the investigation had been planned for several months. For this reason we must attribute either honesty or stupidity to the Sanhedrists—there is no third possibility, unless we admit that the stories of the Gospels are entirely misleading."

According to Matthew (XXVI : 61) and Peter (Mark XIV : 57-58), two witnesses accused the Nazarene of having

boasted that he could destroy the Temple and rebuild it in three days. But Dr. Ben Joseph, expert in Jewish jurisprudence, has proven to you that even if the charge were true, it would not and could not have constituted a criminal, much less a capital offense (pp. 413-14).

And the first two witnesses for the Prosecution are in disagreement as regards the nature of the alleged accusation. According to St. Matthew (XXVI : 61), the Nazarene was charged with having said merely "and to rebuild it in three days," without stating how, whether by supernatural or by natural means. St. Peter tells us (Mark XIV : 58), however, that the Nazarene was accused of having said, "and within three days I will build another made without hands," that is to say, by supernatural means, thus claiming supernatural powers for himself.

St. Matthew (XXVI : 61-62) failed to state, as did St. Peter (Mark XIV : 58-59), that the testimony of these two accusing witnesses was also found to be in disagreement. Thus here we have a splendid example of absurdity and contradiction in a single incident.

The first witness for the Prosecution testified (Matthew XXVI : 63) that the presiding judge, the high priest Caiaphas, adjured the Nazarene, by saying, "I adjure thee by the living God, that thou tell us whether thou art the Christ, the Son of God." But Peter contradicts him, quoting the high priest as saying merely (Mark XIV : 61), "art thou the Christ, the son of the Blessed"? There is a marked difference between these two versions of the Court's question. If Matthew is right, an untrue answer would have constituted the offense of swearing falsely. If Peter is right, an untrue answer would have constituted no such crime.

Ladies and gentlemen of the jury, you have heard Dr. Ben Joseph testify in this Court that the Jewish system of jurisprudence would have prohibited the high priest from asking such a question of the Nazarene, because it would have been a violation of established legal procedure. You have also heard Dr. Ha-Levi, an expert in Jewish religion, testify in this Court that the high priest could not have asked

such a question of the Nazarene, because the term "son of God" in this context would have constituted blasphemy, and because the synonymous use of the terms "Christ" and "son of God," were not in accordance with contemporary Jewish religious concepts.

Now, in answer to this question, which could not have been asked, we are offered by the witnesses irreconcilably contradictory replies.

According to St. Matthew's testimony (XXVI : 64), the Nazarene replied to the high priest's question with the words, "Thou hast said," an answer which is conceded by most modern critics and commentators to be evasive and ambiguous (Allen, "Matthew" XXVI : 25; and others). This answer may be construed as an implied denial to the question put to him: "It is you who states that I am the Christ, the son of God, but not I."

Peter, on the other hand, testified (Mark XIV : 62) that the Nazarene's reply to the high priest was "I am," an unequivocal, affirmative reply, admitting his sonship and equality to God.

What a vast difference there is between these two inspired, authoritative versions of what is supposed to be history!

The third witness, St. Luke, disagrees with Matthew and Peter in four vital details. He testified (Luke XXII : 66-68) that "as soon as it was day," not during the night as stated by the first two witnesses, "the elders of the people and chief priests and the scribes came together." Then they led the Nazarene not into the palace of the high priest, but "into their council," their regular courthouse, and they asked him, "art thou the Christ? tell us." No "son of God" was mentioned by the inquirers, and this inquiry was made not by the high priest, the presiding judge, but by all the members of the court.

Now, according to Luke, the Nazarene replied with the following abracadabra: "If I tell you, you will not believe; and if I also ask you, ye will not answer me, nor let me go."

Now just what is it that the Nazarene did reply to this

simple, if impossible, question? Certainly not all three answers are equally the Gospel truth!

Thereafter the first three witnesses for the Prosecution testified (Matthew XXVI : 64; Mark XIV : 62; Luke XXII : 69) that the Nazarene made a statement to the Sanhedrists of his own volition that the son of man would be seen sitting on the right hand of power ("of the power of God"—Luke), and coming in the clouds of heaven (this last phrase was omitted by Luke). Thereupon the high priest according to the first two witnesses, expressed his opinion that the words spoken by the Nazarene constituted blasphemy, a capital offense, and he demanded that a vote be taken by the court. The court unanimously declared the Nazarene guilty.

It is remarkable that neither the third witness (Luke XXII : 66-71), who spoke of some morning proceedings, nor the fourth witness (John XVIII : 15-21), who recorded some meaningless evening investigation, ever testified that a decision of any kind was reached by the Sanhedrin. Luke simply testified that "they said, What need we any further witness? for we ourselves have heard it of his mouth." According to John, the Nazarene was brought to Annas, who in turn sent him to Caiaphas, who then sent him to the Roman procurator Pontius Pilate. No court had been convened, no testimony of witnesses taken, and no decision rendered.

Now, ladies and gentlemen of the jury, you have heard Dr. Ben Joseph, an expert in Jewish jurisprudence, testify in this Court that in this alleged trial every rule of law and procedure was violated, and that under no circumstances could the Nazarene have been found guilty of the offense of blasphemy.

It has been argued by many Christian authors that the Jewish hierarchy was so eager to put the Nazarene out of the way that they trumped up a charge against him and convicted him without due process of law. These authors were evidently not acquainted with Jewish jurisprudence. Dr. Ben Joseph has pointed out that the Nazarene could have been legally convicted of any one of three different capital of-

fenses; namely: enticing people to embrace idolatry, false prophecy, and profanation of the Sabbath. Surely, then, there was no necessity for the Jewish jurists to trump up a false charge against him and convict him unlawfully.

Ladies and gentlemen of the jury, even if we were to impute improper motives to the members of the Great Sanhedrin—an imputation which is wholly unwarranted, I assure you—it would still be ridiculous to suppose that they would have so stupidly and so clumsily managed their affairs. Surely they would have known the simplest elements of their own legal procedure.

I wish to call your attention to an opinion of a Christian author, Professor Husband, already mentioned by Dr. Ben Joseph in his expert testimony in this Court. He said ("Prosecution of Jesus," p. 11): "It is manifestly improper to accuse the Jewish court of conducting a serious trial in such a farcical manner that the court completely abrogated its rules of procedure, and to reach this conclusion simply because certain writers, unskilled in reporting legal cases, have narrated a series of incidents which cannot be made to harmonize with the method of conducting a criminal case prescribed by the Jewish law."

I ask you, ladies and gentlemen of the jury, how can any person reasonably hold the Great Sanhedrin guilty of murder on the strength of these conflicting and nonsensical reports? How can any jury reasonably hold millions of souls responsible for the death of the Nazarene solely upon these contradictory records?

THE MOCKING OF JESUS

Now, ladies and gentlemen of the jury, the first two witnesses for the Prosecution wish you to believe that, after declaring the Nazarene guilty, the members of the Great Sanhedrin spat in his face and buffeted him (Matthew XXVI : 67; Mark XIV : 65.) By making this absurd statement, these witnesses have surpassed themselves in the invention of malicious nonsense. This charge against the members of the Sanhedrin is no less inconceivable than such a charge lodged

against the members of the Supreme Court of the United States or of the highest court in any civilized land.

There are, indeed, some commentators who, realizing the absurdity of the statements made by these witnesses, have tried to justify the Gospel texts by explaining that these disgraceful acts were committed not by the judges themselves but by the court officers or by the servants of the high priest. But a careful reading of the testimony shows that these texts without doubt refer to the members of the court.

Permit me to quote in this connection a few of the many opinions advanced by Christian authors. Alfred Plummer ("Matthew," p. 381) remarks: "Matthew's condensed account reads as if the whole Sanhedrin were guilty of the outrage." F. W. Green ("Matthew," XXVI : 67) says: "It is hardly likely that the Sanhedrin itself would have been so forgetful of judicial propriety, as to indulge in such offensive conduct." Professor Husband ("Prosecution of Jesus," p. 206) says: "The story of the mockery appears in a strange situation in Matthew and in Mark. One cannot avoid the feeling that, according to these two Gospels, the mocking was done by members of the Sanhedrin. It is impossible to comprehend how a writer could seriously represent dignified members of the Jewish supreme court as performing the undignified and revolting acts of spitting upon their prisoner and calling on him to prophesy. But it is the kind of joke the common soldier might indulge in."

Again we are forced to conclude that the Prosecution's witnesses, in their all-consuming desire to pile up accusations against the hated Jews and the leaders, were willing to go to any length, no matter how ridiculous or unreasonable. They were determined to put the entire guilt of the Nazarene's suffering and death upon the Jewish people, and to ingratiate themselves with the Romans by completely exonerating their procurator.¹⁰ (See Klausner, "Yishu ha-Notzri," p. 373).

Even the third witness, ladies and gentlemen of the jury, balked at this outrageous accusation, saying only (Luke XXII : 63): "And the men that held Jesus mocked him, and smote him." He mentioned no spitting by any one, and accused

only the soldiers of smiting and mocking the Nazarene.¹¹ John, too, charged only (John XVIII : 22) that one of the officers "struck Jesus with the palm of his hand," when Jesus replied contemptuously to the high priest.

But for this vile accusation made by Matthew and Peter—uncorroborated and patently absurd—the Jews have paid dearly throughout the centuries.

PETER'S DENIAL OF JESUS

All four witnesses for the Prosecution mention the incident of Peter's denial of Jesus. But that is where the harmony ends. Once again contradiction is piled on contradiction. Peter himself, who is the hero, or villain, of the narrative, confesses to one story (Mark XIV : 66-72), which is denied by the other three witnesses. These three then proceed to disagree among themselves.

Peter testified (Mark XIV : 54, 66) that after following the apprehending officers from afar, he entered the palace of the high priest Caiaphas and sat beneath in the palace, warming himself. The fourth witness, John, testified (John XVIII : 15-16) that it was a certain unidentified disciple, known to the high priest, who gained Peter's admission into the palace of the high priest. Neither Matthew (XXVI : 58, 69) nor Luke (XXII : 54-55) confirmed John's testimony.

According to Peter's testimony (Mark XIV : 66-67), he was identified by one of the maids of the high priest while he was warming himself beneath in the palace. Although Matthew (XXVI : 69) and Luke (XXII : 55) agree with Peter that he was at this time somewhere inside the palace, John takes exception, holding (John XVIII : 16-17) that Peter was identified by a "damsel that kept the door," just as the unnamed disciple was leading him into the palace, and not while he sat by the fireside warming himself.

There can be no doubt, ladies and gentlemen of the jury, that the fourth witness brought in the myth of the mysterious disciple to circumvent the objection that might have been raised as to how Peter, a fisherman from Galilee, was able to gain admittance into the palace of the high priest, the door

of which had always been guarded against intruders, as this fourth witness himself admitted in his testimony (John XVIII : 16-17).

Even the Jewish renegade Edersheim argues ("The Life and Time of Jesus the Messiah," page 549, note 1) that "while John went into the house, many reasons suggest themselves why we scarcely imagine John to have been present, when Caiaphas inquired about the disciples and teaching of Jesus." So even the friendship of John was not influential enough with the high priest as to allow him to remain in the courtroom where Jesus is alleged to have been tried.

Now, you have heard the fourth witness testify that the first denial was made by Peter in the palace of Annas (John XVIII : 17), thus denying the statement made by Peter himself (Mark XIV : 53, 67-68) and by Matthew and Luke (Matthew XXVI : 57, 69; Luke XXII : 54, 56-57). This is, indeed, bold testimony on the part of John to tell Peter that he was not where he thought he was!

No two of these four witnesses for the Prosecution agree upon what was said by the maid when she identified Peter, or upon the exact words by which Peter denied his lord. Each witness has a different version of the identification and the denial.

Furthermore the witnesses cannot seem to agree upon the time of this strange denial. Peter himself, along with Matthew, tells us (Mark XIV : 64-68; Matthew XXVI : 66-70) that the first denial occurred in the palace of Caiaphas after the verdict of guilt was rendered by the Jewish court. The third and the fourth witnesses tell us (Luke XXII : 54-57; John XVIII : 16-19) that Peter's denial took place before any proceedings were begun by the Jewish court.

We have here, then, a perfect comedy of errors as to time, place, substance, and as you shall see, even as to the very participants in the drama.

Peter himself testified (Mark XIV : 68-69) that after his first denial he went out into the porch where the first maid again identified him.¹² According to Matthew (XXVI : 71), the second identification was made not by the same maid, but

by another one. The third witness insists (Luke XXII : 58) that the second identification occurred not on the porch, but inside the hall, and that it was made by a man and not by a damsel. The fourth witness (John XVIII : 25) agrees that the second identification was made inside some high priest's palace where Peter was warming himself, but is in total disagreement with everybody about who identified Peter. He contends that Peter was questioned not by one damsel, as Peter himself would have it, nor by one man, as Luke would have it, but by some people whom he describes as "they." I leave it to you, ladies and gentlemen of the jury, to decide whether Peter was unable to distinguish between a damsel and a man, and between one damsel and many men. You must decide, too, if Peter should have known whether he was on the porch at that time, or warming himself somewhere inside the palace.

Allow me to quote to you the opinion of a Christian commentator. Salmond ("Mark" XIV : 69) says: "It is difficult to construct an entirely consistent narrative, or to say with certainty at what point or even in what place the various denials occurred."

Now, ladies and gentlemen of the jury, I should like to draw your attention briefly to the well-known prophecy about the crowing of the cock. Please believe me, it is not my intention to indulge in irony in so serious a trial. If I should seem to be sarcastic at any time in this discussion, the blame must be put upon the peculiar nature of the testimony with which we are compelled to deal.

This matter of the crowing of the cock is important as an indicator of time, and not only as a barometer of prophecy.

Peter himself quoted Jesus as prophesying (Mark XIV : 30, 72): "Verily I say unto thee, that this day, even in this night, before the cock crow twice, thou shalt deny me thrice." This witness then testified that the cock did crow twice, once while he went out into the porch after the first denial (*l. c.*, 68), and again after the third denial (*l. c.*, 72).

The other three witnesses, however, contend that Jesus told Peter that he would deny him thrice before the cock

would crow once (Matthew XXVI : 34; Luke XXII : 34, 61; John XIII : 38). Accordingly, these witnesses record (Matthew XXVI : 74; Luke XXII : 60; John XVIII : 27) only one crowing of the cock, after the third denial.

It has definitely been established that the cock crows once at midnight ("Douay's Edition of the Bible," note on Mark XIV : 30). And there is a second crowing of the cock, concerning which E. W. G. Masterman (Hastings "Dictionary of the Bible," art. "cock") remarks: "The term 'cock-crowing' was the name of the third watch of the night, just before dawn. During this time the cocks crow at irregular intervals."¹³

Now, ladies and gentlemen of the jury, it is obvious why the other three witnesses might have deemed it necessary to disagree with Peter concerning the number of crowings of the cock, even though Peter was the only witness directly concerned with the prophecy. It was extremely difficult for them to explain Peter's two crowings of the cock. It was hardly likely that the Nazarene would have referred to two irregular crowings before dawn, as these were too unpredictable to hang a prophecy upon. If the two crowings were meant to refer to the one at midnight and the other just before dawn, that would then indicate an interval of six hours. But what would Peter and the servants of the high priest have been doing for these six hours between midnight and dawn in the palace? The trial must have been ended, because according to Peter (Mark XIV : 55-66), the denials followed the alleged trial before the Sanhedrin. But even this is impossible because the trial could not have been concluded before midnight, the time of the first crowing of the cock.

To avoid these complications involved in Peter's statement, the other three witnesses decided to omit one crowing of the cock.

Now, ladies and gentlemen of the jury, Matthew alone testified (Matthew XXVI : 72) that Peter substantiated his second denial by an oath. Peter himself stated (Mark XIV : 70) that he simply "denied it again." Luke (XXII : 58) and John (XVIII : 25) testified that Peter's second de-

nial consisted merely in saying, "I am not." It is difficult to explain why Matthew saw fit to aggravate the seriousness of Peter's denial by adding an oath to it. Did he wish by this to discredit his fellow Apostle? A false oath, especially by a saintly Apostle, is scarcely a matter to be taken lightly.

The third identification of Peter involves further complications. Peter himself (Mark XIV : 70) and Matthew (XXVI : 73) testified that this third identification was made by those who stood near him in the palace, probably after hearing his Galilean dialect. "The Galileans were unable to pronounce the gutturals, and also lisped, pronouncing *sh* like *th*"—Carr, "Matthew" (XXVI : 73). Luke (XXII : 59) and John (XVIII : 26), however, testified that the third identification was made by one man. John even mentioned the name of the man, Malchus, and described him as a kinsman of that servant of the high priest whose ear St. Peter had lopped off at Gethsemane.

Now, ladies and gentlemen of the jury, Peter (Mark XIV : 71) and Matthew (XXVI : 74) testified that, after the third identification, Peter, the first Apostle of the Nazarene, became so terrified that he disregarded all laws forbidding false swearing, and substantiated his false denial by cursing and swearing. Christian commentators, such as Allen ("Matthew" XXVI : 73) and others, explain that St. Peter did not curse anybody, as would appear from the text, but "he invokes a curse upon himself if his denial is false." Plummer ("Matthew", p. 383) remarks on this incident: "Peter begins with a single lie. The next time he keeps repeating his lie. Finally, he invokes a curse upon himself if his denial is false, and he swears that it is true."

It will be left entirely to Christian theologians to explain the conduct of St. Peter as has been recorded by the saintly witnesses for the Prosecution. However, I must, in fairness to my clients, call your attention to the peculiar significance of this narration in the present trial.

It has been established, beyond doubt, since the days of Papias (Eusebius, "Hist. Eccl." III, 39) that Mark wrote down what he, in a rather disconnected way, heard from

Peter; that Matthew and Luke based their testimony on Mark; and that John, whether independently or not, wrote his Gospel at a much later date. Thus the Gospel of Mark forms the sole basis for the existing documentary evidence against the Jews. The entire testimony, therefore, is unworthy of your consideration and belief, not only because it is mere hearsay evidence, but because, if we are to accept the Gospel narratives, St. Peter, the sole eyewitness, has branded himself a liar and a coward in his own testimony in this very Court. By his own admission, he not only lied in a cowardly attempt to save himself from justice, when he was identified as one of the disciples of Jesus, but he perjured himself with an oath (Mark XIV : 71). ¹⁴

Can you, ladies and gentlemen of the jury, give credence to the statements of such a witness and on the strength of such testimony condemn millions of innocent people to death, torture, disgrace, and everlasting abuse?

I ask the continued patience and indulgence of the Court and of the ladies and gentlemen of the jury while I proceed with my review of the testimony of the witnesses for the Prosecution.

According to his own narrative (Mark XIV : 72), the saintly Peter first thought of the prophecy of his master when he heard the second crowing of the cock. The first crowing of the cock had not been sufficient to remind him of his master's warning. Only a few hours ago, his master had prophesied to him; yet this Rock of the Church who was entrusted with the key to heaven (Matthew XVI : 18-19), made no effort to keep his solemn promise to his master (Mark XIV : 31): "If I should die with thee, I will not deny thee in any wise."

Indeed, if we are to believe St. Luke (XXII : 61), even two crowings of the cock plus the lord's own presence did not suffice to remind Peter of his lord's prophecy. According to this Gospel, it took the lord's piercing glance to bring Peter back to his senses.¹⁵

And what did Peter do after his lord had given him that significant glance? Did he fall on his knees before his

humiliated master and ask his forgiveness? No. He left the hall and shed bitter tears. Who was there to witness the remorse displayed by Peter in the dark of night? Why did he not display the courage of his conviction and acknowledge his unfaithfulness to his lord in the presence of those assembled, and thus glorify his master in the eyes of his judges? What good were tears shed in privacy? But he dreaded the risk of acknowledging his lord publicly!¹⁶

It is hard to say, ladies and gentlemen of the jury, who is more discredited by this incredible story: the Apostle Peter, or those who, after painting such a wretched and contemptible portrait of the man, ask us to accept this lying, cursing coward as the holiest of Saints, the holder of the keys to heaven, the Rock upon which uncounted millions of honest and devoted Christians are to base their lives and their faith.

But it is not only Peter who is impeached by this narrative. The Nazarene himself is debased and vilified by it. The third witness, St. Luke (XXII : 61), asks us to believe that Jesus himself stood in the same room with Peter,¹⁷ and did nothing to prevent his cursing and false swearing. Jesus, who said of himself (John XIV : 6): "I am the way, the truth, and the life," heard his most faithful disciple lie twice in his presence, yet he listened and remained indifferent. It was not until the lie had thrice been compounded that he took the trouble to cast a glance in Peter's direction. What purpose could this glance serve now? Had not Peter already fulfilled the prophecy like an actor fulfilling his role? Why then the glance, if not to serve as a triumphant "I told you so"? A vulgar portrait, indeed, for a disciple to paint of the "Son of God"! But we must remember who the painter was: the pagan Luke.

THE MORNING SESSION OF THE SANHEDRIN

Now, ladies and gentlemen of the jury, let us see what happened the following morning, the morning after the so-called trial before the Great Sanhedrin. Both Matthew and

Peter testified in this Court (Matthew XXVI : 57-66; Mark XIV : 53-64) that the principal trial had been conducted by the Jewish court during the night of the first day of the Passover, and that on the following morning (Matthew XXVII : 1-2; Mark XV : 1), the chief priests held a consultation with the elders and scribes, and bound the Nazarene and led him away to Pontius Pilate, the Roman Procurator, who was at that time in Jerusalem.

The third witness, St. Luke, however, said nothing about any night proceedings before the Great Sanhedrin (Luke XXII : 54 ff.), but that (Luke XXII : 66-71) as soon as it was day, the Jewish jurists convened and led Jesus into their council, that is, the regular courthouse.

According to this witness' testimony, when asked by the judges, "Art thou the Christ? tell us," the Nazarene made some evasive, ambiguous reply, and the judges then asked: "Art thou then the Son of God?" Jesus replied: "Ye say that I am." The judges then closed the case by announcing, "What need we any witness? for we ourselves have heard of his own mouth." No charge was made, no offense specified, no vote taken, and no decision rendered. Yet, many of the Christian commentators wish us to believe that this was a morning trial held by the Great Sanhedrin! Why, this cannot even be considered an intelligent preliminary examination! It does not bear the slightest resemblance to any known form of legal procedure.

I ask you, ladies and gentlemen of the jury, can you give any credence to this story? What could have been the object of this court session? Did the Jewish judges meet purposely with the intention of making a mockery of the Law of Moses? Surely they accomplished nothing else.

Now we are told that on the first day of the solemn Festival of Passover, when nearly all the Jews had gathered to celebrate, and when the priests were performing their duties in the Temple of God, the chief priests, the doctors of the Law, the members of the highest court at Jerusalem, marched with their bound prisoner through the streets of

Jerusalem to the palace occupied by the Roman Procurator during his stay at Jerusalem.

Those cowardly Jewish dignitaries, no longer dreading the fury of the people (Matthew XXVI : 5; Mark XIV : 2; Luke XXII : 2), now fearlessly marched with Jesus through the streets of the busy city, displaying their prisoner to the masses.

And strange as it may seem, these same masses, who but a few days ago had given the Nazarene a royal reception, watched him being led as prisoner to the hated Roman Procurator without raising a single cry of protest! Where were all those Galileans whom the Jewish authorities so dreadfully feared? Where were all those men and women who had received such beneficent bounties from Jesus? Where were all those lepers, all the blind and the crippled who had been miraculously cured by him? And where were all his disciples, his followers, and the thousands of people who were accustomed to follow him whenever they could discover his whereabouts (Matthew IV : 25; VIII : 1; IX : 8, 33-34; XII : 15; XIII : 2; *a. fr.*)? Where were the thousands who witnessed the miracle of the four thousand men eating to their fill with only seven loaves of bread and a few small fish (Matthew XV : 32-39; Mark VIII : 1-9), and the miracle of the five thousand men fed to satiety with only five loaves of bread and two small fish (Matthew XIV : 14-21; Mark VI : 34-44; Luke IX : 11-17; John VI : 5-14)? Where were they all now when their benefactor and miracle-worker was led in disgrace to the Roman Procurator?

The Jews were not afraid to interfere when James, the brother of Jesus, was put on trial (Josephus, "Antiquities," Book XX, ch. ix, sec. 1). Why, then, were they indifferent at the trial of their popular hero, Jesus himself? No satisfactory answer to this logical question can be given by anybody. The only evident answer would seem to be, that the entire basis of this narration was not historical fact, but mere myth and traditional gossip. And on the strength of such unreliable testimony, you, ladies and gentlemen of the jury, are called upon to convict countless souls to their doom.

Now, ladies and gentlemen of the jury, the first witness told you in this Court a most evil story, a story uncorroborated by any other witness for the Prosecution. According to him (Matthew XXVII : 3-10), the remorseful Judas Iscariot confessed his crime to the chief priests in the Temple, with the words, "I have betrayed innocent blood." But they, the lawless, godless, heartless murderers, in the very Temple of God, in the presence of the Almighty, replied to Judas: "What is that to us? see thou to it."

This incredible story, a vicious libel upon members of the highest court in the Jewish commonwealth, has helped for centuries to fan the flames of anti-Semitic hatred. I submit, ladies and gentlemen of the jury, that this vile accusation against the Jewish high priests is untrue, a gratuitous insult from the pen of the imaginative Apostle, St. Matthew. Otherwise why, I ask, would the other witnesses for the Prosecution have seen fit to omit it from their testimony? Not Peter (Mark XV : 1-2), nor Luke (XXII : 71-XXIII : 1), nor John (XVIII-XIX) mentioned a word of this fantastic incident.

A modern Christian author, F. W. Green ("Matthew," XXVII : 3-10) remarks: "Gruesome legends have always been gathered around the end of traitors." This author admits, then, that Matthew's story is a mere legend. But how, I ask, would a legend, a myth, creep into the divinely inspired Gospel of St. Matthew? Is not this conclusive proof that the early Christians made every endeavor to besmirch the character of the Jewish authorities and to fasten the liability upon the Jews for the crucifixion of the Nazarene, at any cost, even at the cost of appearing imbecilic?

St. Matthew went on to relate in this Court how Judas cast the money down in the Temple, and went home and hanged himself, and how the chief priests and the elders took the money and bought the potter's field in which to bury strangers. All this happened, the witness testified, so that a certain prophecy might be fulfilled.

Ladies and gentlemen of the jury, you have heard Professor Kimhi, an expert in Biblical exegesis, testify that this witness not only misinterpreted the text of the prophet Zechariah, the alleged source of the prophecy to which Matthew was referring, but that he even distorted and misquoted it, making some arbitrary additions to suit his narrative (pages 489-492, *supra*).

Furthermore, ladies and gentlemen of the jury, you have heard St. Peter completely deny the story told by St. Matthew with reference to the fate of Judas.

According to Peter's testimony (Acts I : 15-19), Judas kept the betrayal money and bought a field with it for himself, which was known as Aceldama, the field of blood.

Peter also denied Matthew's story that Judas had committed suicide by hanging himself. According to him, Judas met his death by accident: falling headlong while in the field, he burst asunder in the midst, and his bowels gushed out. It is superfluous to point out that these two contradictory statements are irreconcilable. You, ladies and gentlemen of the jury, must decide whether Matthew or Peter or neither told the truth.

THE TRIAL BEFORE PILATE

Now, with the permission of the Court, and your kind indulgence, ladies and gentlemen of the jury, I shall try to be as brief as possible in my review of the contradictory testimony concerning the important trial of the Nazarene before the Roman Procurator, Lucius Pontius Pilate.

All the witnesses for the Prosecution testified that the Jewish dignitaries brought the Nazarene before Pilate. It is difficult to ascertain from the testimony for what purpose the prisoner was taken to Pilate. Authors and commentators have advanced many and varied theories and assumptions. Some have said that Jesus was brought before Pilate to ratify the verdict of guilty already rendered by the Jewish court. Their contention is that the Jews, after being subjugated by Rome, had lost the power of executing a death sentence. Their ver-

dict, therefore, required the ratification of the Roman Procurator. Others contend that the Jewish courts were unable to hear and determine cases involving capital punishment. They claim that, under the Roman system, the right to try capital cases was left entirely to the Roman authorities, and that the local courts of the subdued provinces acted merely in the capacity of magistrates, ascertaining the nature of the charge against a prisoner and whether there was sufficient evidence to hold him for trial by the Roman authorities.

It is not my purpose in this summation to delve into these intricate and unsolved problems of history. The reason I call your attention to this controversy is to point out to you from the very beginning that the witnesses for the Prosecution were no better qualified to report a case tried under Roman law, than to report one tried in a Jewish court of law. As a result of their incompetence, no historian and no theologian has been able to define clearly the conflicting jurisdictions of the Jewish and Roman courts, the issues involved before Pilate regarding the Nazarene, and the mode of procedure described by the witnesses. (See pp. 337-342, *supra*.)

It is evident, ladies and gentlemen of the jury, from the testimony offered by the three Synoptic witnesses in this Court, that the Jewish dignitaries together with their prisoner came "before" Pontius Pilate, the Roman procurator, that is, inside the judgment hall, known as the Praetorium (Matthew XXVII : 2, 11; Mark XV : 1-2; Luke XXIII : 1). This is in direct contradiction to the statement made by the fourth witness (John XVIII : 28) that the Jewish leaders did not enter the judgment hall. According to this witness (*l. c.* 28 ff.), Jesus was inside the hall, during the so-called trial before Pilate; the accusers were outside; and Pilate, the Roman judge, kept running back and forth, hearing complaints and examining the prisoner. So, the witnesses for the Prosecution disagree at the very outset of the proceedings.

The reason given by the fourth witness why the Jewish leaders refrained from entering the judgment hall was (John XVIII : 28): "Lest they should be defiled; but that they might eat the passover." This statement would not and could

not have been made by any Jew who was at all familiar with Jewish life and customs. You have heard Dr. Ha-Levi, an expert in the Jewish religion, testify in this Court that neither the statement made by this witness, nor the theories and speculations advanced by Christian commentators and authors, can be sustained on the principles of the Jewish religion. He testified that no law, either Biblical or Talmudic, prohibited a Jew from entering a heathen judgment hall. It was Dr. Ha-Levi's opinion that only ignorance could have prompted the witness, John, to make such a statement (pages 377-9, *supra*).

Furthermore from John's testimony it is clear that it was not the first day of Passover when the Nazarene was brought before Pilate, for the Jewish leaders had not yet eaten the paschal lamb. This, as Dr. Ha-Levi has pointed out to you, is in direct contradiction to the statements made by the three Synoptic witnesses for the Prosecution who minutely described in their testimony in this Court the Passover preparations made by the Nazarene and his disciples, the day before the trial in the Roman court, for the Passover meal, and also the celebrating of the Passover feast on the eve of Passover (Matthew XXVI : 17-29; Mark XIV : 12-25; Luke XXII : 7-26.)

Dr. Ha-Levi has very ably discussed this irreconcilable contradiction in dates. He has also pointed out to you that, according to astronomical calculations, there is a difference of three years between the dates set by the conflicting statements (pages 372-4, *supra*).

However, for the purposes of this trial, it is up to you, ladies and gentlemen of the jury, to decide whether to accept the statement made by the first three witnesses, that the Jews and the Nazarene were together in the judgment-hall, and that this occurred on the first day of the Jewish Festival known as Passover, or the statement made by the fourth witness, that the Nazarene was inside the judgment hall while the Jewish accusers remained outside, and that this occurred on the day before the first day of Passover.

Now, what happened when the Nazarene was brought

by the Jewish representatives before the Roman Procurator? Again, we have conflicting statements made by the witnesses for the Prosecution.

According to the testimony of the first two witnesses (Matthew XXVII : 11; Mark XV : 2), the Jewish leaders had a gala procession through the streets of Jerusalem, marching with a bound prisoner to the Roman judge, but when they arrived there, they said nothing. They had gone to all the trouble of holding a trial after midnight of the first day of Passover, of finding the Nazarene guilty of the capital offense of blasphemy, of parading in the early hours of the morning to the Roman Procurator; but after all this, they lodged no complaint against the prisoner and preferred no charges against him. It was Pilate who of his own accord, asked the prisoner: "Art thou the king of the Jews?"

Of course, it never occurred to these witnesses to explain how Pilate came to suppose that the Nazarene had ever claimed kingship over the Jews. This would have been a very important bit of information, the sort of information which should be found in any serious record of a trial. But this omission is in keeping with the entire report which sheds more darkness than light upon the whole proceedings.

The third witness differs with the first two. He testified (Luke XXIII : 2) that the Jewish representatives together with a multitude (*l. c.* verse 4) led the Nazarene to Pilate, and the people, the whole multitude, began to accuse him. This motley mob suddenly became transformed into a corps of accomplished jurists, and unanimously charged the prisoner with three distinct counts, none of which had been mentioned during the so-called trial before the Jewish court in the earlier hours of the morning. The Nazarene was accused of: (1) Sedition; (2) Insurrection; (3) Treason.

The fourth witness had an altogether different story to tell. He testified (John XVIII : 29) that Pilate went out to the Jewish leaders, and at the very start, asked them: "What accusations bring you against this man?" According to this witness, Pilate did not begin the proceedings by asking the Nazarene if he were the king of the Jews, as averred by St.

Matthew and St. Peter; nor did the Jewish leaders prefer, together with the mob, three distinct charges against him, as stated by St. Luke; but Pilate merely wished to ascertain the nature of the charges against the prisoner brought before him.

These contradictions, ladies and gentlemen of the jury, refer not to minor matters but to the very essence of the case tried before the Roman Procurator.

This witness, St. John, then went on to testify (John XVIII : 30) that the learned jurists of Jerusalem made a most incredible reply to Pilate's demand for a statement of charges: "If he were not a malefactor, we would not have delivered him up unto thee." Can anyone conceive of a reply to Pilate's question that would prove more prejudicial and detrimental to their cause than the one invented by the fourth witness, St. John? It is not enough for this witness to maintain that the Jewish chief priests, elders and scribes were bloodthirsty, lawless, godless, mean, wicked, and dishonest. He must add to his characterization incredible stupidity and impudence.¹⁸

Let us follow the unique testimony of the witness St. John, to the point where the Nazarene was on the verge of making an admission to Pilate. Let me remind you that none of this testimony is corroborated by the other three witnesses.

In response to the insulting and illogical reply of the Jewish jurists, St. John tells us that Pilate offered to turn the Nazarene over to the Jews. "Take ye him, and judge him according to your law" (John XVIII : 31).

This is one of the most amazing *non sequiturs* in all history.

Pilate asks, "Of what is the prisoner guilty?"

The Jews reply, "If he were not guilty, we would not have brought him here!"

And so Pilate says, "Very well; go ahead and try him yourselves!"

Do these sound like the words and actions of the stern governor, Pontius Pilate, the personal representative of the Roman Emperor Tiberius in the land of Judea?

But apparently, John was still not satisfied with his accomplishment. The dialogue was not sufficiently confusing for him. And so, in reply to Pilate's generous offer, the Jewish jurists find themselves saying: "It is not lawful for us to put any man to death." But Pilate had not told them to put Jesus to death; he had only told them to try the man.

Then this very witness proceeds to give the reason why the Jews refused to try Jesus in their courts (John XVIII : 32): "That the saying of Jesus might be fulfilled, which he spake, signifying what death he would die."

Now, ladies and gentlemen of the jury, you have heard Professor Ibn-Daud, an expert in Jewish history, very ably discuss at length the debatable question, whether or not the Jews at the time of Jesus had the right to try cases involving capital punishment. In his opinion, the Jews did have that right even under the Roman subjugation at this time. (Pages 337-342, *supra*.)

This problem we can safely leave to experts to decide. However, I wish to call your attention to the inconsistency of the Prosecution's witness with regard to this question. At first he testified that the Jews themselves said that they had no right to put any man to death. This is assumed to be an historic truth. But then this witness tells us that the real reason the Jews made such a statement was that Jesus' own prophecy might be fulfilled that he would die by crucifixion, and since crucifixion was unknown to Jewish jurisprudence, his prophecy would not have been fulfilled if he were tried by the Sanhedrin. Consequently, the Jewish jurists were compelled by Providence to surrender jurisdiction, so that the prophecy of the Nazarene might be fulfilled. But this must mean that the Jews really had such jurisdiction! Then why had they brought the Nazarene to Pilate in the first place?

Apparently St. John had gained so much experience in contradicting the three Synoptists, that he had by now mastered the art of contradicting himself.

With the jurisdictional question safely confounded, the witness, St. John, went on to testify in this Court (John XVIII : 33): "Then Pilate entered into the judgment hall

again, and called Jesus, and said unto him, Art thou the king of the Jews?"

Thus we have the rather startling picture of this all-powerful Roman Procurator running back and forth like an errand boy in and out of the judgment hall to listen first to the prisoner and then to the accusers.

Professor Nerva, expert in Roman law, has testified in this Court that such a procedure could not have taken place in the Roman governor's court. The Roman law required that the accusers face the prisoner, as borne out by Festus when he was requested to put Paul on trial (Acts XXV : 14-16). Secondly, a presiding officer was required to remain upon his tribunal during the trial (Husband, "The Prosecution of Jesus," p. 239).

This witness testified before that the Jewish leaders had refused to prefer charges against the Nazarene (verse 31, *supra*). What, then, now prompted Pilate to ask of the Nazarene: "Art thou the king of the Jews?" That issue had never been raised, or even hinted at, either by the prisoner himself or by his accusers. Surely Pilate was not, like the Nazarene, endowed with the gift of prophecy!

We have now reached a point where all four witnesses seem temporarily to be in agreement.

According to the testimony of the third witness (Luke XXIII : 3), Pilate, after dropping or ignoring the first two counts preferred by the mob against Jesus (*l. c.* 2), took up the third count, that of treason, and asked the same question: "Art thou the king of the Jews?" All the four witnesses for the Prosecution agree, then, that Pilate asked this question of the prisoner. But let us examine the answer given by Jesus in reply to this question.

The first three witnesses testified (Matthew XXVII : 11; Mark XV : 2; Luke XXII : 3) that the Nazarene gave an evasive answer, which, however, is construed by all Christian authorities to imply an affirmation: "Thou sayest it." Consequently, the Nazarene actually admitted to Pilate that he had laid claim to the throne of Judea, for surely, to the pagan Roman's mind this expression could not have had any

reference to a king ruling over a celestial kingdom, but to a temporal king, like Caesar himself.

Ladies and gentlemen of the jury, you have heard Professor Nerva testify in this Court that, under these circumstances, the admission made by the Nazarene could not have been construed as anything else but treason, because the Judean crown was held by the Roman Emperor. If, then, we are to accept the testimony of the first three witnesses, the Nazarene by his own admission to Pontius Pilate, rendered himself amenable to the law of treason, the most serious crime known to Roman law, especially under the reign of the suspicious Tiberius.

However, the fourth witness differs with the three Synoptic witnesses. He testified (John XVIII : 34) that Jesus made no such admission in reply to Pilate's question, but instead put the following question to the Roman Procurator, "Sayest thou this thing of thyself, or did others tell it thee of me?"

Now, ladies and gentlemen of the jury, there can be no doubt that the Nazarene was well aware of the character of the Roman Procurator. He knew him to be a cruel and ruthless man to whom Jewish lives were cheap. Had not the Nazarene been told (Acts XIII : 1) "of the Galileans, whose blood Pilate had mingled with their sacrifices?" Nevertheless, we are asked to believe that the Nazarene now taunted Pilate with an impudent and nonsensical answer. Pilate, the merciless Roman procurator, had accused the Nazarene of treason, and the Nazarene wanted to know whether this Roman judge had himself invented the charge against him, or whether he had heard it from someone else!

According to this witness (John XVIII : 36), the Nazarene then explained to Pilate that he was a king, but "his kingdom was not of this world," a statement vastly different from that recorded by the other witnesses. The Nazarene's claim to a spiritual kingdom, while incomprehensible to the ears of a Roman pagan procurator, could not constitute treason because he was not challenging the temporal power of Tiberius Caesar. This contradiction between John and the

three Synoptists concerns the very core of the case before Pontius Pilate.

Now, the fourth witness quoted the Nazarene as saying (John XVIII : 36): "If my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews."

Ladies and gentlemen of the jury, I contend that it was impossible for the Nazarene to have made such a statement to the Roman Procurator, in view of the miserable showing made by his most faithful servants at Gethsemane. One does not boast of such exploits as the cutting off of a menial's ear by Peter and the subsequent terrified flight of all one's partisans. Had the eleven disciples been multiplied by ten thousand—all of the same courage—the Nazarene even as a temporal king, would hardly have had cause to boast.¹⁹

But apart from the question of truth, was not this boast somewhat out of harmony with the character of the "Prince of Peace"?

Besides, was not Jesus a Jew that he should have referred to his people, in addressing Pilate, as "the Jews"? Would he not have referred to them—especially in the presence of an enemy of the Jews—as "my people," or "my compatriots"? Surely, he would have done so unless it was his intention to speak contemptuously of his own people in order to ingratiate himself with the Roman tyrant. But no Christian author would dare contend that Jesus was not a patriotic Jew!²⁰

This same witness went on to tell us (John XVIII : 37) that after the Nazarene had explained that he was not a king of this world, the pagan Pilate did not consider him a lunatic but asked, "Art thou a king then?" and asking an extremely subtle philosophical question about truth, did not wait for an answer but left the judgment hall to address the crowd outside. Is not this rather startling behavior for a Roman procurator?

Now, once again we reach a point of utterly conflicting testimony by the witnesses for the Prosecution.

According to the testimony given by Matthew and Peter

(Matthew XXVII : 15-17; Mark XV : 6-9), Pilate made no official decision as to the guilt or innocence of the prisoner. Instead, he asked the Jewish leaders and the mob whether, in accordance with the supposedly prevailing custom of releasing a prisoner on the occasion of the Jewish Festival, he should release Jesus or a prisoner named Barabbas. Matthew described this prisoner merely as "notable," while Peter testified that he had been imprisoned by the Roman authorities for insurrection and murder.

According to the third and fourth witnesses (Luke XXIII : 4; John XVIII : 38), however, the Roman official at this point rendered a clear and unequivocal decision: "I find no fault in this man" (Luke) or "I find no fault in him at all" (John).

Now, ladies and gentlemen of the jury, you will agree with me, I am sure, that it must be a very poor court record, indeed, that omits an official decision by the trial judge. This is no incidental detail that we are discussing, but an actual verdict in a trial which has had disastrous consequences for millions of people all over the earth.

Here we have four divinely inspired witnesses, each claiming to speak the Gospel truth. Two of them report a clear-cut verdict of acquittal; the other two say nothing of the kind.

If this occurred in any ordinary court of law, one would say: "See, ladies and gentlemen of the jury, how those witnesses make liars of one another." However, we must abstain from speaking thus to you in this case, because the witnesses happen to be Apostles, the chosen disciples of Jesus, whose testimony was divinely inspired. And divinely inspired witnesses cannot call one another "liar." But their statements are contradictory and inconsistent, just the same.

Now, ladies and gentlemen of the jury, if you wish to know what happened in the court of the Roman procurator after this, search and you will "not" find. For, according to the testimony of the third witness (Luke XXIII : 5-7), the mob outside the judgment hall grew "more fierce" and with one voice accused the prisoner of the grave offense, "of stir-

ring up the people, teaching throughout all Jewry," and cleverly inserted the phrase "from Galilee to this place." A peculiar people these Jews! Their jurists were so ignorant and stupid that they actually impeached their own false witnesses by cross-examination; and yet their common rabble were amazingly ingenious jurists who were thoroughly capable of preferring appropriate legal charges against a prisoner, and so cleverly that the judge was forced to take notice!

And so, in this case, when Pilate heard that the prisoner had come from Galilee, he sent him at once to Herod, the Tetrarch of Galilee, for trial. This incident, you will recall, was mentioned by Luke only, and not by the other two Synoptic witnesses, Matthew and Peter, nor by the fourth witness John. These three expressly testified (Matthew XXVII : 11-26; Mark XV : 1-15; John XVIII : 28-40-XIX : 1-16) that Pilate himself conducted the trial of the Nazarene from the beginning to the end.

Now, ladies and gentlemen of the jury, if we analyze the testimony of this witness, St. Luke, who admitted that he had not been an eyewitness to any of the incidents incorporated by him in the Gospel which bears his name, we shall be forced to conclude that there was something seriously wrong with what Luke called his "divine inspiration." We shall find that this pagan Apostle lacked discretion and tact in selecting his material from the many legends and myths that must have been circulating among the fanatical Christians of his time. He was so entirely unfamiliar with many aspects of Jewish life, Jewish or Roman jurisprudence, and Jewish religious concepts that he was incapable of patching together a plausible story from the material at hand.

Why, for example, did Luke—alone among the four witnesses—see fit to incorporate this story about the Nazarene being sent to Herod for trial? If this were a true account, would it not have been advantageous for the other witnesses to have mentioned it, to have said that even Herod Antipas, the dissolute Tetrarch of Galilee, had found the Nazarene innocent? Is it not obvious that those witnesses failed to mention this incident for the simple reason that they had never

heard of it? Is it likely that Luke, a later Apostle, knew of incidents of which his predecessors, supposedly eyewitnesses, had no knowledge? I leave that to you, ladies and gentlemen of the jury.

You have heard Dr. Nerva, expert in Roman law, testify in this Court that it would have been impossible for Pilate to have sent the Nazarene to be tried before Herod, as such an act would have been contrary to established principles of Roman law. The Procurator was bound to observe the Roman law which dictated that in cases of "continuous" sedition, the jurisdiction of the court was determined either by the place where the offense was committed or the arrest was made (pp. 469-70, *supra*). In this case, the alleged offense had been committed for the most part, as far as the final acts were concerned, in Jerusalem itself and in other localities of Judea. The arrest had been made at the gates of Jerusalem.

There were several other reasons given by this jurist for his opinion that this incident related by the third witness could not have occurred according to the principles of Roman law. But above all, ladies and gentlemen of the jury, you are familiar with the soundest principle of Roman jurisprudence which persists to this very day in all enlightened lands, that a person may not twice be put in jeopardy for the same offense.

The count of sedition, according to the testimony of this witness (Luke XXIII : 2) had been included among the three counts with which the Jews had charged the Nazarene before Pilate. Yet, Pilate in very clear unmistakable terms, had exonerated the Nazarene of all three counts, by stating (Luke XXIII : 4): "I find no fault in this man." How, then, could Pilate so abuse a fundamental principle of Roman jurisprudence by sending the Nazarene to be tried again by Herod on a charge of which he had already been acquitted? Is not this story untrue on the face of it?

Now, ladies and gentlemen of the jury, with the permission of this Honorable Court, permit me to digress for a moment to discuss an earlier statement made by this witness,

St. Luke, concerning the attitude of the Pharisees toward the Nazarene.

This witness stated (Luke XIII : 31-32): "There came certain Pharisees, saying unto him, Get thee out, and depart hence, for Herod will kill thee." These Pharisees, whom the Nazarene hated so much and who "sought to kill Jesus," had discovered that Herod also was looking for a way to kill Jesus, and so they warned him to flee Herod's jurisdiction. According to the story, Jesus took their advice and left (*l. c.*, 33).

I point this story out to you merely as another example of this witness's astounding ability to contradict himself. In one breath he tells us that the Pharisees were anxious to save the life of the Nazarene, and in another breath he tells us that they "sought how they might kill him" (Luke XXII : 2)!

To return to the main thread of the narrative—this witness stated that this same Herod who had wanted to kill Jesus, now was so impressed with what he had heard about Jesus that he was anxious to meet him and see him perform a miracle. Now that Pilate had delivered Jesus into his hands, the vicious Tetrarch suddenly lost his interest in murder and longed to see a miracle performed instead! It is a pity that the witness did not recognize that the unaccountable behavior of Herod was in itself a miracle beyond all human experience or explanation.

Equally inexplicable is the statement by this witness, St. Luke, that Herod "questioned him with many words." Questioned him about what? and to what purpose? And of what did the Jewish leaders, the chief priests, the scribes, accuse the Nazarene (Luke XXIII : 10)? These are nothing but mere words and again words on the part of the witness, inexplicable, unintelligible words. Has ever a trial or examination before an official been recorded thus?

This witness went on to state that Herod, after hearing the accusations against the prisoner, "set him at nought" and mocked him (*l. c.*, 11) sending him back to Pilate cloaked in a gorgeous robe. What was Herod's purpose? Herod, a Jew himself, making sport of a Jew in the presence of a

Jewish mob, and for the sole delight of Pontius Pilate, the chief enemy of the Jews! Such nonsense as this is offered as incontrovertible and historic testimony!

According to the testimony of this witness, all these crowded events occurred on the first day of the sacred Festival, the Feast of Passover. Chief priests, jurists, doctors of the law, riffraff mingled with celebrities, marched with a weakened Jew as a prisoner, from the palace of the high priest to the palace of the Roman procurator, from the Roman procurator's quarters to the palace occupied by Herod, and then back again from Herod to Pilate. A very dignified procession, was it not, led by Jewish dignitaries, the elite of the people of Judea?

Thereupon, Pilate "called together the chief priests and the rulers and the people." This time they did not come to Pilate of their own accord, but at Pilate's invitation. How did he get them together? What means did he employ? Did he send criers throughout the Holy City? There already had been present chief priests and scribes who accused the Nazarene before Pilate and thereafter before Herod. What became of them? Did Pilate want more accusers? Or had the original accusers gone home? These questions are left to be answered by our imaginations.

Pilate now remonstrated with the Jews, apparently a fresh crowd of celebrities mingled with riffraff, and told them that neither he nor even Herod could find any fault with Jesus. And so, out of pure generosity, the kind-hearted Pilate offered to compromise with the accusers: to inflict upon Jesus that gruesome punishment of scourging, then free him. Imagine! a judge finds a prisoner innocent, and therefore offers to scourge him merely to please the complainant! And we are told to believe this, too.

They kept on bargaining, the accusers and Pilate. And all this took place in less than three hours, together with the final decision by Pilate and the march to the place of execution and the mocking by the Roman soldiers. For, did not Peter himself testify (Mark XV : 25) that "it was the third hour, and they crucified him"?

According to the testimony given by the first witness (Matthew XXVII : 17), Pilate of his own accord, without any urging from the rabble, asked whether he should release Jesus or Barabbas. According to Peter (Mark XV : 8), the crowd like a mob of hoodlums, together with the Jewish dignitaries, "crying aloud demanded that he should do as he had ever done to them." According to the testimony of the third and the fourth witnesses (Luke XXIII : 16, 18; John XVIII : 39-40), Pilate offered to release only Jesus, but the Jews themselves called for the release of Barabbas. Isn't this recording by the witnesses accurate and consistent?

Now comes the fourth witness with an entirely new story, not told by any of the other witnesses. He testified (John XIX : 1-5) that Pilate scourged Jesus, that the soldiers platted a crown of thorns and put it on his head, and that dressing him in a purple robe, they shouted, "hail, king of the Jews," while they smote him with the palms of their hands. Then Pilate, in his anxiety to release Jesus, went out to the people and offered to bring out the prisoner in order to convince them that he had found no fault in him. Jesus appeared before the multitude, wearing the crown and the purple robe, and bleeding from the wounds inflicted by the scourging, and Pilate presented him to the people with the mocking words, "Behold the man."

These witnesses for the Prosecution chose a most peculiar way to demonstrate their thesis that Pilate was an innocent and merciful man. After presenting him as a helpless defender of the Nazarene, they now ask us to believe that he not only scourged his innocent prisoner but cruelly humiliated him. According to St. John, poor Pilate is to be excused on the grounds of good intentions: Pilate was simply trying to convince the Jewish dignitaries and the mob outside the judgment hall of the Nazarene's innocence!

Ladies and gentlemen of the jury, you have heard all the witnesses for the Prosecution testify in this Court (Matthew XXVII : 15; Mark XV : 6; Luke XXIII : 17; John XVIII : 39) that there existed a custom in Judea according to which the Roman procurator would release to the

people on the Feast of Passover a prisoner to be selected by the people.

You have heard Professor Ibn-Daud, an expert in Jewish history, testify that this statement is without historic confirmation. No reference to any such historic custom is made by any of the historians of that time, nor in any of the Talmuds (pp. 342-3, *supra*).

Of course, the writers of the Gospels had an excellent motive for inventing such a mythical procedure. In their extreme hatred toward the Jews, they wished their followers to believe that the Jewish people chose to free a common bandit in preference to their master, the Son of God.

Ladies and gentlemen of the jury, in no event would it have been possible for Pontius Pilate to have released Barabbas, if we put any credence in the statement made by St. Peter (Mark XV : 7) and St. Luke (XXIII : 19, 25) that Barabbas had been arrested for insurrection and murder. Neither would the Jews have been able to ask for his release without rendering themselves liable to a charge of sedition for favoring a rebel against the Roman yoke.²¹ Pilate had been sent to Judea with specific instructions to drown any insurrection in blood. Pilate would no more have dared to disobey the command of his emperor than the Jews would have dared to demand of Pilate the release of an insurrectionist leader charged with murder. The tale is absurd from beginning to end.

The first two witnesses asserted (Matthew XXVII : 18; Mark XV : 10) that Pontius Pilate knew that the Jews had delivered the Nazarene to him out of envy. Luke and John omitted this queer bit of prophetic or psychological insight on the part of the pagan procurator. Perhaps they realized that they themselves testified that the Nazarene had already admitted to Pilate that he claimed to be the king of the Jews (Matthew XXVII : 11; Mark XV : 2). The question of envy, then, was evidently not to the point. Its inclusion is but another proof that the writers of these Gospels were prepared to incorporate anything in their evidence which would lessen the guilt of Pilate and increase that of the Jews.

You have heard the first witness testify (Matthew XXVII : 19) that when Pilate "was set down on his judgment seat, his wife sent unto him, saying, Have nothing to do with that just man: for I suffered many things this day in a dream because of him." Such a noteworthy incident ought not to have been overlooked by the other three witnesses. Their failure to mention it casts a peculiar shadow of doubt over the whole miraculous occurrence.²²

Incidentally, it was most inefficient on the part of the gods to intimidate this poor innocent woman by making her suffer "many things" in a daydream. Surely it was her husband, or even the Jewish leaders who should have been intimidated. Of course, had this been done, the entire prophecy of the crucifixion might never have been fulfilled. But why plague Pilate's poor wife Claudia?

This is a difficult question, one worthy of the Herculean efforts of some Christian theologians who have tried to justify this obvious legend by claiming that Claudia was Jewish, having converted herself prior to this incident, and hence was endowed with prophetic gifts ("Gospel According to Nicodemus," ch. II). Ladies and gentlemen of the jury, I shall leave this wonderful theory with you to do with as you choose.

Now, the first two witnesses testified (Matthew XXVII : 22; Mark XV : 12) that after the Jews demanded the release of Barabbas instead of the Nazarene, Pilate asked the mob what he was to do with the Nazarene. Neither Luke (XXIII) nor John (XVIII-XIX) have recorded any such question.

Ladies and gentlemen of the jury, you have heard Dr. Nerva, an expert in Roman law, testify that Pilate could not have asked that question of the Jewish multitude, because the Roman law specifically required that offenders guilty of treason be executed by crucifixion. Pilate had no alternative: If Jesus were guilty, he must be crucified, and the Jews had nothing whatever to say about the matter (pp. 471-2, *supra*). Surely Pilate was not consulting the Jewish rabble in order to be enlightened on a question of Roman law!

Now, while all four witnesses for the Prosecution agreed that Pilate persisted in defending Jesus' innocence against the declamations of the mob, the fourth witness managed to add a few fine touches of his own.

According to St. John (XIX : 6-15), when Pilate displayed the thorn-crowned, scourged Jesus, the Jewish mob demanded his crucifixion. Why, ladies and gentlemen of the jury, the Jews had no alternative! They were forced to ask for Jesus' condemnation, if, as this witness stated (*l. c.* 1-5), Jesus was being presented to them in mock-royal regalia, as their king. What answer could they have given now?

Then Pilate, either ignorantly or ironically, told the Jews to take Jesus and crucify him. The reply of the Jewish leaders was utterly nonsensical. In accordance with Jewish law, they said, Jesus should be executed for posing as the "son of God." But see how ridiculous this was, to interpose a new charge, that of blasphemy, which was solely a Jewish religious offense. Did they expect the Roman Procurator to execute a man because he violated a Jewish religious law? Why did they not press home the charge of treason, a political offense of which Pilate was bound to take cognizance?

This Roman pagan was the more afraid, stated this witness, when he heard that the prisoner claimed to be the son of God. The question is: What brought fear into the heart of this Roman pagan? In his mythology, there were many sons of gods, and this expression was not new to him at all. This could have meant nothing else to his pagan mind than that this prisoner was a descendant of some god unknown and unfamiliar to him. Certainly in his pagan conception, he could not have interpreted it to mean that Jesus had claimed to be a son of a spiritual God, an incorporeal One. Why, then, did the poor fellow become so frightened by the words of the chief priests?

At any rate, in his great fright, Pilate went back to the judgment hall, and asked Jesus, "Whence art thou?" But Jesus remained silent. Why did he not answer? Was he afraid to mention the fact that he hailed from Galilee, lest he create a prejudice in the heart of Pilate? The Roman Procurator

thereupon threatened Jesus, by pointing out to him that he had the power either to release or crucify him.

Incidentally, Matthew and Peter testified (Matthew XXVII : 14; Mark XV : 5) that Pilate did not become angry, but on the contrary, marvelled greatly when Jesus refused to answer him.

Now Jesus suddenly grew brave and brazenly replied that Pilate would have no power at all over him if it were not for Jesus' Father in heaven. "Therefore he that delivered me unto thee hath the greater sin." This is one of the most illogical "therefores" in all literature. But it served this witness' purpose of exonerating the Roman Procurator and vilifying the Jews.

To absolve Pilate of blame, Jesus is made to state that Pilate's power over him was derived from the Father in heaven. But did not the same theosophical argument apply as well to the high priest Caiaphas, the "he who delivered me unto thee"? Was the power of the Jews mightier not only than Pilate's but also than that of the Father in heaven? Would they have had power over Jesus, unless it were given them from above?²³

With the permission of the Court and with your indulgence, ladies and gentlemen of the jury, let me quote to you an opinion of a Christian jurist with regard to this quotation imputed to the Nazarene.

Walter M. Chandler ("Trial of Jesus," vol. II, p. 176) says: "Aside from the religious question involved, and speaking in the light of history and law, our judgment is that the real crucifiers of Christ were the Romans, and that Pilate and his countrymen should bear the greater blame. It is true that the Jews were the instigators, the accusers. But Pilate was the judge whose authority was absolute. The Jews were powerless to inflict the death penalty. Pilate had the final disposition of all matters of life and death. In short, he could have prevented the crucifixion of Jesus. He did not do so; and upon him and his countrymen should rest the censure of Heaven and the execration of mankind."²⁴

It is perhaps worth noting that in the quotation attri-

buted to the Nazarene, the singular pronoun, "he" (Caia-phas? Judas?), and not the plural pronoun, "they," is used. A man, ladies and gentlemen of the jury, and not a nation is indicted here.

This same witness, St. John, went on to testify (John XIX : 12) that Pilate "thenceforth sought to release him." Why "thenceforth"? And why the word "sought"? Had not Pilate just finished telling Jesus that he had the power to release him (John XIX : 10)? Why did he not exercise his power, then?—The witness is not very consistent.

We have been told (John XIX : 12) that the Jewish leaders and the mob now threatened Pilate by reminding him of the law: "If thou let this man go, thou art not Caesar's friend: whoso maketh himself a king speaketh against Caesar." Really, ladies and gentlemen of the jury, did the Roman judge have to be told by Jews that it was treason for any one to set himself up as a king in a subjugated province? or that Tiberius feared and hated traitors?

Apparently none of the other witnesses for the Prosecution considered this account sufficiently convincing to include it in their testimony, even though it would have served their purpose of vilifying the Jews.

Now, according to St. John, for the first time Pilate stopped running in and out the judgment hall, and bringing Jesus forth to face his accusers, sat down in the judgment seat. Permit me, ladies and gentlemen of the jury, to call your attention to two important assertions made by this witness: first that it was the "preparation of the Passover," that is, the day preceding the first day of Passover; and second, that the hour of the day when this took place was "the sixth hour," that is, twelve noon (John XIX : 14).

At this point of the proceedings, according to the testimony of the first witness (Matthew XXVII : 24-25), when the unhappy Pilate saw that he could not prevail against the Jewish mob, he "took water, and washed his hands before the multitude, saying, I am innocent of the blood of this just person: see ye to it." Pilate, as though suddenly possessed, adopted a Jewish custom to show his innocence. This

custom of washing hands to denote innocence of shedding blood, certainly was not known to the Romans. To them the shedding of blood was not considered a sin requiring atonement. Thus the Roman Procurator suddenly became an observer of the Mosaic Law! One wonders from whom this Roman tyrant acquired his knowledge of the Mosaic Law, and under whose influence he practiced its rites!

See, ladies and gentlemen of the jury, to what absurd limits this Apostle, St. Matthew, was willing to go to vent his hatred upon the Jews! Permit me to quote a few Christian apologists concerning this hand-washing incident.

Alan Hugh McNeile ("Matthew" XXVII : 24) remarks: "Each of the Synoptists leads up to the fatal sentence in his own way. Luke says that he had not the courage to withstand the shouts. Mark catches the political situation: he wanted to regain popularity, which his misrule had forfeited. Matthew's incident probably belongs to the same circle of tradition as v. 19. It increases the guilt of the Jews by lessening that of Pilate.

"But it is doubtful if the passage can be regarded as historical."

A. Plummer ("Matthew" p. 391), speaking of this incident, says: "It was not unusual for a judge, in pronouncing sentence of death, to protest that he incurred no guilt by causing life to be taken. But it is not likely that Pilate said: 'I am innocent of the blood of this just person.' A Roman procurator would not confess to a Jewish mob that out of fear for them he was putting an innocent man to death."

F. W. Green ("Matthew" XXVII : 24; Oxford, 1936) remarks, when speaking of this incident, "It reflects the intense anti-Semitism of the Christians of his day."

F. D. Strauss ("Leben Jesu") says that the detail of the hand-washing was invented for the purpose of emphasizing the innocence of Jesus.

This same witness, St. Matthew, testified (Matthew XXVII : 25) that, in order to satisfy Pilate and to pacify his conscience, the Jewish mob told him that they were willing to take upon themselves and upon their children for all

generations to come, the blood-guilt of the crucifixion of the Nazarene. It was the cruel and merciless purpose of this witness to fix the burden of guilt upon a whole nation and upon its children for all eternity.²⁵

Hatred for the Jews was not uncommon among these early Christians, but the writer of the "Gospel According to St. Matthew" excelled in the brewing of anti-Semitic poison. His skill has unfortunately been transmitted through the ages, and the virus of anti-Semitism continues to infect the earth. A modern author, A. T. Robertson ("Matthew" XXVII : 25) remarks on Matthew's curse: "A dreadful curse . . . In a large sense history seems to show that this curse was fulfilled."

But I ask you, ladies and gentlemen of the jury, how was this curse fulfilled? By miracle? By pestilence or plague? No! It was fulfilled by murderous and vicious acts of pious Christians who killed the Jews with their own hands. With their hands dripping with innocent blood, these pious hypocrites dare to tell us that the curse was fulfilled! Let them rather remember another curse, the curse invoked by them upon themselves: "For all they that take the sword shall perish with the sword" (Matthew XXVI : 52).

Ladies and gentlemen of the jury, it is obviously difficult for me coolly to dissect and analyze this repulsive piece of testimony. Not because the absurdities are insufficiently apparent. But because they are drowned in a sea of Christian prejudice and hate. Let me, however, ask you to consider a few simple questions.

We have been told, the entire mob, by spontaneous outcry, assumed the guilt of shedding innocent blood. But was this not the same crowd who, we are told, cheered the Nazarene shouting (Matthew XXI : 1-15; Mark XI : 1-10; Luke XIX : 28-38; John XII : 12-15), "Hosanna to the son of David," "Hosanna in the highest" when "all the city was moved"? Had not even the children acclaimed him in the Temple (Matthew XXI : 15)? Were not these the very people whom the chief priests and leaders of Jewry had feared because of their love for the Nazarene? What had

suddenly come over them that they now not only demanded his death by crucifixion, but were willing to call the wrath of the Almighty down upon their own heads and upon the heads of their children for generations for the satisfaction of their brutal demand? How is this to be explained, ladies and gentlemen of the jury, if not by the hate-gnawed soul of the writer of the "Gospel According to St. Matthew"?

We are asked, finally, to believe that poor Pilate, unable to convince the Jews and their leaders of the Nazarene's innocence, released Barabbas and delivered the Nazarene to be crucified. Such was the testimony of all witnesses for the Prosecution.

In this final decision, Pilate again violated a principle of the Roman law quoted by the expert, Dr. Nerva, in this Court, that no man was to be convicted or acquitted because of the clamor of the people. But an even more serious violation of the law was committed by Pilate.

If the proceedings before Pilate actually took place in the manner described by the four witnesses for the Prosecution, Pilate could not and would not have sent the Nazarene to be crucified. Pilate examined no witnesses for either the complainants or the defendant. He required no evidence to be produced by either side. He rendered no final decision of guilt. How, then, without flagrantly violating the law could he send the Nazarene to his death? I maintain that the report as given by the witnesses is absolutely unreliable and untrue. It is inconceivable that the Roman judge as well as the Jewish Sanhedrin both violated every known rule of law and procedure.

According to the testimony of the fourth witness (John XIX : 13), Pilate took a more serious attitude toward the trial, and sat down in the judgment seat. But what did he do in the judgment seat? Did he conduct a trial? Did he make any attempt to determine the accusation against the prisoner? Did he examine a single witness? No. He did nothing but call out to the Jews: "Behold your king!" (John XIX : 14). I ask you, ladies and gentlemen of the jury, was the Roman Procurator so idiotic, that he had to occupy the judg-

ment seat with the pomp and dignity of a Roman judge, in order to utter the mysterious words, "behold your king"? How absurd it is on the face of it for any witness with intelligence to submit a trial record such as this for posterity!

Now, all the witnesses for the Prosecution testified to the scourging of the Nazarene. But listen to their testimony and decide whether or not they are telling the truth.

The first two witnesses testified (Matthew XXVII : 26; Mark XV : 15) that Pilate scourged the Nazarene before the crucifixion, as part of the prescribed punishment. According to the testimony of the third witness (Luke XXIII : 16, 22), Pilate twice offered to scourge the Nazarene as a compromise, but he does not say whether the scourging was actually administered. The fourth witness testified (John XIX : 1) that the scourging was Pilate's final attempt to appease the Jews and thus save the Nazarene from crucifixion.

There we have again an illustration of contradictory, irreconcilable testimony given by the witnesses. Can all these discrepancies be considered true and divinely inspired?

Now, ladies and gentlemen of the jury, to sum up briefly the trial conducted by Pilate, according to the testimony of these witnesses for the Prosecution:

According to St. Matthew and St. Peter, the Jewish leaders preferred no specific charges against the Nazarene, and Pilate himself asked him whether he was the king of the Jews. The Nazarene admitted that he was. Pilate thereupon rendered his decision that he had found no fault in the Nazarene. Nevertheless, because the Jews insisted upon the Nazarene's crucifixion, Pilate bowed to their wishes and sent the prisoner to be crucified.

According to the third witness, St. Luke, the Nazarene was actually tried three times in addition to the trial by the Jewish court. First he was tried by Pilate on three charges lodged by the Jews against him, and Pilate rendered a decision of innocence. But the Jews reiterated the charge of sedition, and Pilate sent the prisoner to Herod, who made sport of the prisoner and sent him back to Pilate. Then Pilate tried him again. Declaring the Nazarene not guilty, he twice of-

ferred (XXIII : 16, 22) to compromise the punishment by scourging the Nazarene and releasing him. When the Jews insisted on crucifixion, Pilate bowed to their will. Three times did Pilate render a decision of innocence, according to this witness (XXIII : 4, 14, 22).

According to the testimony of the fourth witness, St. John, after running a few times back and forth, from the judgment hall to the mob outside, Pilate rendered a decision of not guilty (John XVIII : 38), by using the emphatic words: "I find in him no fault at all." But the people cried out that they wanted the release of Barabbas, so Pilate scourged Jesus, and after attiring him in regal fashion, he brought Jesus forth, again declaring that he found no fault in him (John XIX : 4). And again the Jews cried for the prisoner's crucifixion, and Pilate declared once more, "I find no fault in him." But the Jews threatened Pilate, and he tried the Nazarene again.

Now, ladies and gentlemen of the jury, has there ever been a case tried by any judge in such a fashion? Has there ever been a case recorded in so slovenly a manner? Yet, the Prosecution insists that the testimony of the witnesses is the Gospel truth, and a sufficient justification for past brutalities and for cruelties contemplated for the future!

THE ROMAN SOLDIERS MOCK JESUS

From this point on, ladies and gentlemen of the jury, we are treated to a true Roman carnival of barbarity, savagery, and inhumanity. In accordance with Roman procedure, they scourged the Nazarene before crucifying him. The Romans were always glad to heap insult upon injury, especially when the victim happened not to be a citizen of Rome but a mere inhabitant of a subjugated province.

The first two witnesses for the Prosecution testified (Matthew XXVII : 27-31; Mark XV : 16-20) that the Roman soldiers immediately after the scourging, called together the whole cohort to make sport of the Nazarene. They paid him mock royal homage after having dressed him in the full regalia of a ruler of Judea: they put upon him a crown of

thorns, dressed him in a scarlet robe, placed a reed in his hand as a sceptre, and they pretended to bend down on their knees and worship him; they paid him divine homage, the reverence and respect due a deity; they spat on him, and smote him on the head with the reed. What cruel satire! This certainly was not a part of the legal procedure that had to precede the execution by crucifixion. These Roman tyrants, according to these witnesses, were not satisfied with merely carrying out the mandate of the law which already was cruel in the extreme. But they heaped insult and abuse upon the already bleeding, suffering prisoner.

Yet, it is remarkable to note that these two witnesses, who had made every endeavor to exonerate Pilate and the Romans, lacked sufficient tact to omit this tradition in which the cruelty of the Romans is displayed in its full horror! If Pilate were the naive, helpless, and honest man depicted by these witnesses, why would he have delivered the Nazarene to the bestial fury of his soldiers, instead of ordering a swift and merciful execution? Was it Pilate, or the witnesses who acted so inconsistently, these Apostles who, with their irreconcilable statements, wished to impress upon posterity, that not Pilate and his Roman soldiers, but the Jews and the Sanhedrin were bloodthirsty and godless men?

THE CRUCIFIXION

Now, ladies and gentlemen of the jury, we come to that portion of the testimony of the witnesses which relates to the crucifixion of the Nazarene. Even here, in reporting the most important execution in the history of humanity, these witnesses fail to corroborate one another. Their facts do not agree.

While the first three witnesses for the Prosecution testified (Matthew XXVII : 32; Mark XV : 21; Luke XXIII : 26) that Simon a Cyrenian, was made to bear the cross to Golgotha, the fourth witness testified (John XIX : 17) that the Nazarene himself bore the cross to Golgotha. It is up to you again, ladies and gentlemen of the jury, to decide as to who of the witnesses was telling the truth.

The first three witnesses testified that the crucifixion took place on the first day of Passover. This testimony comes into conflict with their testimony concerning Simon, the Cyrenian, a contradiction which has evoked much discussion among Christian commentators.

The second witness, St. Peter, testified in this Court (Mark XV : 21) that this Simon was met by the Roman executioners "coming out of the country," which would seem to imply that he was coming from work in the field.²⁶ Therefore the first witness, St. Matthew, who, as all scholars agree, based his information on the Gospel of Mark deleted this statement about Simon. Willoughby C. Allen (International Critical Commentary, "Matthew" XXVII : 32) explains that the deletion was made by Matthew, "perhaps because work would not have been possible on the first day of Unleavened Bread." A. Plummer ("An Exegetical Commentary on Matthew," p. 394) says: "Matthew omits that Simon of Cyrene was 'coming from the country,' which seems to mean that he was coming from work in the field, and this would have been unlawful on the first day of Unleavened Bread. This apparent incongruity was perhaps the reason for the omission."

But do these learned Christian commentators wish to tell us that the writer of the "Gospel According to St. Matthew" deliberately falsified the facts for the purpose of straightening out incongruities? If Peter's account is historic, and Simon did actually come from work in the field on that day, then what right did this Apostle St. Matthew have to omit the fact merely for the purpose of patching up inconsistencies? Would not such behavior constitute deliberate falsification on the part of the first witness for the Prosecution, and would not this conclusively prove that his statements are unreliable and untrustworthy? For, if the Prosecution admits that this witness might conveniently have omitted one historic fact, might he not have left out another as well, and might he not also have invented still other accounts to suit that same convenience?

Besides, it is inexplicable, ladies and gentlemen of the

jury, why these cruel Roman executioners had to wait until they found a Simon of Cyrene to make him bear the cross. According to the testimony of the three Synoptic witnesses (Matthew XXVII : 39-43; Mark XV : 29-32; Luke XXIII : 35), there was a mob of Jews present at the scene, headed by the chief priests, scribes, and elders. Would not the Roman soldiers, who were so adept at ridiculing the Jews and their "king," have done better if they had selected one of the Jewish dignitaries to carry the cross? But why an unknown Simon of Cyrene?

All the witnesses testified that the Nazarene was taken to a place near Jerusalem, known as Golgotha. Professor Ibn-Daud testified in this Court that no such place can be located on either the old Palestinian map or on the new. No commentator on the New Testament has yet been able to find it. It is therefore apparent that the witnesses were unfamiliar with the geography of the land of which they wrote. In all probability they chose this fictitious name and place simply to add one more touch of horror to the already gruesome picture of the crucifixion, for the name "Golgotha" suggests the place of a skull, a field filled with human skulls. Professor Ibn-Daud has already proven to you that no such place existed, or for that matter, could have existed near Jerusalem (pp. 343-4, *supra*).

The first two witnesses for the Prosecution testified in this Court (Matthew XXVII : 34, Mark XV : 23) that upon arriving at Golgotha, the Roman soldiers gave Jesus something to drink. According to Matthew, the drink consisted of vinegar mingled with gall, but Peter claims that it was wine mingled with myrrh. Some Christian commentators (Slater, The Century Bible, "Matthew" XXVII : 34, and others) explain that Matthew's "gall" is intended to accord with Psalms LXIX : 21. But while this explanation may help the text, it cannot help the witness who again stands accused of falsifying the facts. This time the Saint's sleight-of-hand consists in changing Peter's wine into vinegar, and his myrrh into gall. With the mastery of such a technique for the fulfillment of prophecies, what schools of prophets could we

educate! But then along comes Professor Kimhi, an expert in Biblical interpretation, to testify that in no way can this Psalm be made to apply to the Nazarene or to any of these alleged incidents (p. 496, *supra*).

St. Peter testified (Mark XV : 23), "but he received it not," that is, the Nazarene refused to take the draught, thus giving us the impression that the "son of God" knew without tasting what the mixture contained. St. Matthew, on the other hand, testified (Matthew XXVII : 34), "and when he had tasted thereof, he would not drink." This contradiction is more important than it seems for it concerns the prophetic propensities of the Nazarene.

One Christian commentator (Plummer, "Matthew," p. 395), somewhat at a loss to explain Matthew's statement, says: "That our Lord tasted the medical draught is told by Matthew alone; and it is a *little remarkable* [*Italics mine*] that he should mention such a fact, while Mark does not." Indeed, it is not only a "little remarkable."

Another Christian commentator (McNeile, "Matthew" XXVII : 34) is even more puzzled. He says: "Matthew's alteration [of Mark's text] may have been derived from an independent tradition; it implies that the Lord did not know what the beverage contained until he tasted it, which is in marked contrast with the passages in which Matthew avoids implications of ignorance on the part of Jesus."

Now, ladies and gentlemen of the jury, I must leave it to you to explain how divinely inspired truths can be derived "from an independent tradition," and how true historic facts "can be avoided" by a saintly witness in order to avoid "implications of ignorance" on the part of his hero.

It is worth while to note in this connection, that neither the third witness for the Prosecution, St. Luke, nor the fourth witness, St. John, mentioned the fact that, upon reaching Golgotha, they offered the Nazarene anything at all to drink.

The third witness alone testified (Luke XXIII : 27-31) that, followed by a great company of lamenting men and women, the Nazarene turned and foretold a miserable future for these kind people. The other witnesses had evidently

never heard of this tradition. Or they might have omitted it in order to avoid the implications that their lord was ungrateful to his sympathizers.

Luke also testified (XXIII : 32) that two malefactors were led together with the Nazarene to the place of execution, an incident concerning which the other three witnesses for the Prosecution are silent.

Then the first three witnesses for the Prosecution went on to testify (Matthew XXVII : 35; Mark XV : 24; Luke XXIII : 34) that the Roman soldiers cast lots for the division of the Nazarene's garments. But the fourth witness testified (John XIX : 23-24) that the soldiers cast lots only for the Nazarene's seamless coat. There was no argument about the rest of the garments. Why must the witnesses quibble about even such a trifle as this? Can they never agree among themselves about anything?

Now, ladies and gentlemen of the jury, the second witness, St. Peter, testified (Mark XV : 25): "And it was the third hour, and they crucified him," that is, it was nine o'clock in the morning. And had all these incidents, then, taken place in a period of three hours or less? Let us recount the alleged facts and decide if it were possible.

The third witness, St. Luke, testified (Luke XXII : 66-71) that an actual trial had taken place in the council of the Jewish jurists "as soon as it was day," which could not have been earlier than six o'clock in the morning. The Nazarene was then led to Pilate's hall of judgment, where new proceedings were instituted. He was next sent by Pilate to the palace of Herod which was some distance away. Herod examined the Nazarene, dressed him in regal attire, and sent him back to Pilate. The Roman procurator then summoned the Jewish leaders and the multitude, and again put Jesus on trial (Luke XXIII : 1-23). Finally after much bickering, Pilate released Barabbas, had Jesus scourged and delivered him to his soldiers for crucifixion. The soldiers reclothed Jesus, crowned him, sceptred him, and indulged in a great deal of mockery. Only then did they lead him to Golgotha which must have been some distance away from Jerusalem.

I leave it to you, ladies and gentlemen of the jury, to decide whether all this could have happened in an interval of three hours or less.

St. John, the fourth witness, evidently found something radically wrong with St. Peter's sense of timing, and so he, like St. Matthew and St. Luke, did not fix the hour of the crucifixion at all. He did tell us, however (John XIX : 14), that when Pilate presented the Nazarene before the people with the words, "behold your king!" the time was about the sixth hour, that is about twelve noon.²⁷

How can any one reconcile this discrepancy in the testimony of the witnesses for the Prosecution? One witness expressly testified that at nine in the morning they crucified Jesus (Mark XV : 25), at Golgotha somewhere outside Jerusalem. At twelve o'clock noon there was darkness for three full hours, from noon until three in the afternoon (Matthew XXVII : 45; Mark XV : 33; Luke XXIII : 44-45). But St. John testified that at twelve noon, Jesus, together with the chief priests, the other Jewish dignitaries, and the rabble were still at the judgment hall disputing with the Roman Procurator. Put the two stories together and you have Pilate displaying the Nazarene to the mob and saying, "behold your king!" in the midst of impenetrable darkness and when the prisoner was nailed on to a cross somewhere outside the city limits of Jerusalem!

Let the Prosecution try to reconcile this contradiction, but, please, not theologically.

Now, ladies and gentlemen of the jury, in compliance with the Roman law which dictated that the reason for the execution on the cross must be published, Pilate wrote the *titulus*, or superscription, over the head of the Nazarene. So far all the witnesses for the Prosecution agree. But when it comes to the simple wording of this brief superscription, written in the three official languages, Greek, Latin and Hebrew, they contradict one another.

Matthew testified (XXVII : 37) that it read: "This is Jesus the king of the Jews." Peter averred (Mark XV : 26) that it read only: "The king of the Jews." Luke had it

cross, unmindful of his own agony, worries about the fate of his executioners. He prays to his Father to forgive them. A most exalting and noble gesture.

But why, then, ladies and gentlemen of the jury, did the other three witnesses for the Prosecution deem it advisable and expedient to omit this splendid act from their testimony? Can it be that three of the four witnesses omitted this occurrence because it simply never happened? Or was there a different reason for being silent about this tradition? The Nazarene's plea for forgiveness, perhaps was in contradiction to their own plea for hatred and intolerance.

The third witness, who was a pagan, evidently did not belong to that circle of bitter anti-Semites to whom every scurrilous abuse of the Jews was looked upon as a bit of divine inspiration. Luke, therefore, would not reject this beautiful tradition of the Nazarene's prayer for forgiveness.

The other three witnesses, who allegedly were converted Jews, were among the most vicious of anti-Semites. The very thought of their master praying for forgiveness of the Jews, would have horrified them. What would have become of Matthew's curse upon generations of Jews yet unborn if this prayer were seriously heeded by Christians? And so, the beautiful gesture recorded by St. Luke was omitted by St. Matthew, St. Peter, and St. John.

Permit me, ladies and gentlemen of the jury, briefly to review some of the testimony given by the witnesses with reference to the mocking of Jesus on the cross. This incident is described only by the three Synoptic witnesses.

Two of them state that the mockery was limited to the common people and the chief priests, or rulers, while the third witness tells us that the Roman soldiers also participated (Matthew XXVII : 39-44; Mark XV : 29-32; Luke XXIII : 35-41).

It has already been proved to you by Dr. Ha-Levi, an expert in Jewish religion, that it was impossible for the Jews and the chief priests to have remained at the scene of crucifixion until a late hour in the afternoon of the first day of Passover. He also explained how highly improper it would

(XXIII : 38) as, "This is the king of the Jews." The fourth witness gave us still another version (John XIX : 19): "Jesus of Nazareth the king of the Jews." It is unimportant, ladies and gentlemen of the jury, which of them is correct. But on the strength of such testimony as this I could not find it in my heart to send even a dumb animal to its doom.

Apart from its contradictory versions, however, this superscription makes one fact perfectly clear. Pilate and the Romans executed the Nazarene as the "king of the Jews." We must be grateful to the witnesses for the Prosecution, for despite all their anxiety to pin this crime upon the Sanhedrin and the Jewish people, they unanimously tell us that Pilate published in broad daylight the true reason for the execution. In his eyes the Nazarene was guilty of treason.²⁸

There is another equally important conclusion to be drawn from this superscription. In crucifying the Nazarene, Pilate and his soldiers were striking simultaneously at the national pride of the Jews. The Nazarene was not executed merely as an individual, but as a representative of the Jews, as if the Jews had accepted him as their king in fact.

When, according to St. John (XIX : 21-22), the Jews had requested Pilate: "Write not, the king of the Jews [in the titulus]; but that he said, I am the king of the Jews," Pilate refused, saying: "What I have written I have written."

Who, then, are charged by these witnesses as the crucifiers of their lord?—The Jews who were themselves the target of the crucifiers' hatred and ridicule? Or the Romans who wrote: "This is Jesus the king of the Jews"?

And when the Romans nailed the Nazarene between two thieves on the cross, heaping scorn upon the king (Matthew XXVII : 38; Mark XV : 27; Luke XXIII : 33; John XIX : 18), did they do this, too, to pacify the Jews and their leaders (Mark XV : 15)? Or did they do this merely to insure the fulfillment of a scriptural text, as the second witness for the Prosecution has told us (Mark XV : 28)?

The third witness quoted the Nazarene as saying (Luke XXIII : 34): "Father, forgive them; for they know not what they do." What an impressive scene: Jesus, nailed to the

have been for any Jew to make sport of a condemned man, no matter what offense he might have committed. This expert witness likewise testified that Jewish dignitaries could not have used the expressions reported by St. Matthew (XXVII : 43), implying that they were mocking him for his trust in God, because that would have been considered blasphemous and opposed to the most fundamental principles of the Jewish religion (pp. 379-382, *supra*).

I shall, therefore, now confine myself to the inconsistencies and contradictions in the facts stated by the witnesses.

According to the testimony of St. Matthew (XXVII : 40), the rabble taunted the Nazarene with the two boasts which he was alleged to have made while on trial behind closed doors in the palace of the high priest Caiaphas the night before. The first taunt, "Thou that destroyest the temple," refers to the boast imputed to the Nazarene by the testimony of two witnesses (Matthew XXVI : 60-61), and the second one, "If thou be the son of God," is based upon the Nazarene's answer to the question of Caiaphas (Matthew XXVI : 63). St. Peter, in his account of the mockery (Mark XV : 29-30), mentioned only the first taunt, while Luke testified (XXIII : 35) that neither the rulers nor the rabble mentioned anything at all about the claims of the Nazarene, but merely ridiculed him with the fact that he had "saved others," etc.

The question arises, ladies and gentlemen of the jury, just how did that rabble so quickly learn what had taken place in the Palace of Caiaphas early that morning? What means were used to circulate among the masses the issues of the case involved before the Great Sanhedrin at a secret session? This is by no means an easy question to answer.

Now, in their attempt to dramatize the eighth verse of Psalms XXII ("All they that see me laugh me to scorn: they shoot out the lip, they shake their head"), St. Matthew and St. Peter (Matthew XXVII : 39; Mark XV : 29) reduce themselves to absurdity by writing this piece of ridiculous nonsense: "They that passed by reviled him, wagging their

heads." What would these Apostles not do to invent and then fulfill a prophecy!

Is it in conformity with human experience that the Jews, the common people, together with their spiritual leaders would have remained at Golgotha, publicly violating their own most cherished religious laws and rituals on the first day of Passover just to poke fun at the indescribable sufferings of one of their fellow-Jews? Is it in conformity with human experience that the Jews remained there to be insulted and ridiculed by the brutal Roman troops? Are we to believe that they were amused at their own shame and suffering under the hated Roman yoke? The witnesses ask you to believe all this, and insist that their story cannot be disputed because it was divinely inspired.

You have heard the first two witnesses testify (Matthew XVII : 44; Mark XV : 32) that the two crucified thieves reviled the Nazarene on the cross. And now, I ask you, ladies and gentlemen of the jury, is it in conformity with human experience that a person nailed to the cross, suffering unimaginable agony, would indulge in reviling a fellow-sufferer hanging beside him?

Think, ladies and gentlemen of the jury, what this agony was like. Giovanni Rosadi ("Life of Jesus," p. 309) does not exaggerate when he describes this horrible method of execution:

"His limbs were nailed and stretched upon the wood. His wounds were torn by the weight of his own body. His cramped position caused him torment, and as he hung motionless, devoured by fever and burning thirst, there was no respite to his agony."

Is it possible that men, so tortured, would have engaged in mockery at such a time? Yet, this, too, we are told to accept as Gospel truth; and on the strength of such testimony as this we are asked to condemn an innocent people!

Incidentally, here, too, we find a contradiction in details. Luke testified (XXIII : 39 ff.) that only one of the thieves reviled the Nazarene, while Matthew and Peter (Mat-

thew XXVII : 44; Mark XV : 32) say both of them did.

The third witness, going his lone way, told you (Luke XXIII : 40-43) that one of the thieves rebuked the other for reviling the Nazarene. Justifying his own condemnation, he defended the Nazarene. This thief, crucified for his crime, suddenly turned philosopher while hanging on the cross, and concerned himself with the kingdom of heaven, a concept known only to the learned Jews and to Christians of a later period. This thief was far advanced in Christian theology, far more so than the Apostles themselves at that time, for they still failed to understand this concept (Mark XVI : 13-14; Luke XXIV : 25; John XX : 9). This thief asked for a place in the Nazarene's kingdom. He must have been a keen observer of the Nazarene and his alleged doctrines; otherwise how would he have known about the Nazarene's kingdom?

Is it possible, then, that one of the Nazarene's most advanced followers was a thief? Yes, if we believe St. John's assertion (John XII : 6) that even one of the Apostles, the trustworthy treasurer of the Nazarene, Judas Iscariot, was a thief. If one of the trusted disciples of the Nazarene, one of the Twelve, had the distinction of being called a thief, then surely one of the ordinary followers, or sympathizers, though a dreamer of a heavenly kingdom, might have been of the same profession.

Why did Jesus not grant the request of the thief by giving him a place in his kingdom, instead of promising him a place in Paradise? You have heard Dr. Ha-Levi testify in this Court, that the two terms, "kingdom of heaven" and "Paradise," could not be used synonymously (pp. 383-4, *supra*). Consequently, Jesus did not fulfill the wish of the repentant thief. Can any theologian explain the reason for this? Is not the lack of authenticity further proven by this want of common knowledge and common sense?

Incidentally, the other three witnesses for the Prosecution failed to mention these conversations between the two thieves, and between one of the thieves and Jesus, as reported by St. Luke. Why did they fail to report such a fact, if a

fact it really was? Would not such a story redound to the glory of Jesus? Would not such an incident prove that Jesus really was a supernatural being, that even a thief condemned to die on the cross repented and trusted in him? Does not this omission prove conclusively that this account was purely an invention of the third witness, or perhaps, based on some unverified legend?

Now, ladies and gentlemen of the jury, the fourth witness testified to an account which the other three did not mention at all. He averred (John XIX : 25-27) that the mother of the Nazarene and either two or three other women²⁹ stood within hearing distance of the cross of the Nazarene. But all three Synoptic witnesses testified in this Court (Matthew XXVII : 55-56; Mark XV : 40-41; Luke XXIII : 49) that the women, among whom were included the women mentioned by John, stood afar off from the scene of crucifixion. Of course, no one can prevent the witnesses from placing the women wheresoever they please. But are we not entitled to know the truth even about such details as this? Should not the testimony of the Prosecution, seeking to condemn millions of people, be consistent?

St. John placed the mother of Jesus by the cross, because he wished to tell us about the conversation that took place between the Nazarene and his mother. He testified (John XIX : 26-27) that the mysterious unnamed disciple, whom the Nazarene loved, was also standing by the cross. Why this mysterious disciple is repeatedly mentioned by this witness but by none of the others, is itself a mystery. Anyway, we are told he was there by the cross. And the Nazarene said to his mother, addressing her in most degrading fashion, "Woman, behold thy son." Ladies and gentlemen of the jury, have any of you ever heard a respectful son address his mother in such a fashion?³⁰ But this witness insists that these were the words of his divine master. Can you or any one else rely on such testimony? Can you or any one else believe that the Nazarene would show contemptible disrespect for his own mother, in the last dying moments of his life?

Now, the first three witnesses testified (Matthew XXVII : 45; Mark XV : 33; Luke XXIII : 44) that there was darkness all over the land (Matthew and Mark), or all over the earth (Luke), from the sixth hour to the ninth hour, that is, from twelve noon to three o'clock in the afternoon.

Aside from the fact that the entire account is not in conformity with human experience and therefore should not be allowed in evidence in any court of law, this piece of testimony leads to irreconcilable contradictions.

The fourth witness, as we have already noted, omitted this miracle, because it conflicted with his testimony (John XIX : 14), that the Nazarene at the sixth hour was still being displayed in the judgment hall by Pilate. Consequently, there could have been no darkness at that time.

Cosmic catastrophes, such as the darkening of the sun and the constellations, were often used metaphorically by poetic prophets of old as symbols of great calamities (Isaiah XIII : 10; Ezekiel XXXII : 7, 8; Joel II : 10). Misunderstanding this use and their purpose, these witnesses for the Prosecution invented not a symbolic but an actual darkness created by the suffering of the Nazarene.³¹ But even in this they are inconsistent; for according to St. Peter's timetable (Mark XV : 25), the crucifixion took place at nine in the morning, and the Nazarene was left nailed to the cross for fully three hours without one cosmic catastrophe to mark the occasion.

But suppose we believed them, that it actually was dark all over the land for a full three hours! would not the passers-by, the Roman soldiers, the Jews, and even their misguided leaders and dignitaries, have been struck dumb with awe at such a sight? Darkness at high noon with the "Son of God" upon the cross! Would not such a terrible portent have been sufficient to convince anybody, however dull or stubborn, that the man hanging from the cross was really a superhuman being?

But what was the effect of this weird occurrence? The passers-by, the Roman soldiers, the Jews and their leaders and dignitaries—as if darkness at noon was an ordinary, every-

day affair—went on ridiculing the crucified Nazarene.

But isn't this really too much to ask anyone to believe?

At three o'clock in the afternoon of that day, the Nazarene, expiring, said something from the cross. But even about his dying words, the witnesses for the Prosecution must quarrel.

The first two witnesses agree (Matthew XXVII : 46; Mark XV : 34) that Jesus quoted from the Book of Psalms (XXII : 1): "Eloi, Eloi, lama sabachthani?" (My God, my God, why hast thou forsaken me?), although one of them, Matthew, has it "Eli, Eli," instead of "Eloi, Eloi." The third witness, however, (Luke XXIII : 46) had Jesus quote an entirely different verse from the Book of Psalms (XXXI : 5): "Father, into thy hands I commend my spirit." The fourth witness, dissatisfied with all these versions, testified (John XIX : 28, 30) that Jesus offered no Biblical quotations, but simply said: "I thirst"; and after tasting some vinegar, said: "It is finished."

And this the Prosecution calls divinely inspired testimony! Think of it! four different versions of the last words of Jesus upon earth!

I shall not repeat to you Dr. Bensew's excellent reasons for saying that the Nazarene could not have spoken the words attributed to him by the first two witnesses. His statement is all in the record (pp. 505-8). But I should like to remind you of the inconsistency implied in that quotation.

All the witnesses for the Prosecution agreed that the Nazarene, on several occasions, made known his unalterable destiny, to die at the hands of pagans, in order to bring salvation to this corrupt and sinful world (Matthew XX : 19; XVI : 21; XVII : 22-23; XXVI : 28; Mark IX : 31; XIV : 24). He accepted the cup of suffering, the fate meted out to him by his Father (Matthew XXVI : 39, 42; John XVIII : 11). He knew that his death was necessary and therefore he told his disciples (Matthew XVI : 21; XX : 17; Mark VIII : 31; Luke IX : 22; XXIV : 6-7) that he must go up to Jerusalem to meet his fate. He went there willingly without protest (Matthew XX : 18; Mark X : 33; Luke XVIII : 31).

He told his disciples (John XVI : 7): "Nevertheless I tell you the truth: It is expedient for you that I go away; for if I go not away, the comforter will not come unto you; but if I depart, I will send him to you." He also told them that he must go to his Father as a means of attaining his Messianic glory (John XVII : 1-3). He was even convinced that the task assigned to him by his Father was accomplished, saying (John XVII : 4): "I have finished the work which thou gavest me to do."

But now, according to the first two witnesses, Jesus cried in despair and accused his Father of having forsaken him.³² Why the despair? And how had he been forsaken? Was he not aware that three days after his death he would become his Father's partner, immortal and eternal, guiding the destinies of the universe? Surely not even an ordinary mortal would find cause for despair with such a future before him—not even an ordinary coward. Surely, then, these witnesses could not have been telling the truth.

And, if they did tell the truth, why did the other two witnesses for the Prosecution alter the record? Is it that they were ashamed of their lord's behavior?

Or is this unfair to St. John, the only witness who claimed to be present at the crucifixion (John XIX : 26)? Perhaps he alone told the truth when he said Jesus asked for a drink and then said: "It is finished" (John XIX : 28, 30). I leave this intricate problem with you, ladies and gentlemen of the jury.

THE PORTENTS

Now the first two witnesses testified (Matthew XXVII : 51-53; Mark XV : 38) that certain miraculous portents occurred immediately after the Nazarene expired. Aside from the fact that such accounts are not in conformity with human experience, and therefore ought not to be accepted as evidence, the witnesses themselves by their own contradictions have rendered these accounts null and void. Only myths and legends are subject to contradictions, but not facts, ladies and gentlemen of the jury.

The three Synoptic witnesses agreed that the veil of the Temple at Jerusalem was torn in two (Matthew XXVII : 51; Mark XV : 38; Luke XXIII : 45), but they disagreed about when this portent is supposed to have occurred. According to Matthew and Peter, it immediately "followed" the death of the Nazarene, that is, after three o'clock in the afternoon and after the period of darkness. But according to Luke, it "preceded" the death of the Nazarene, and was a part of the portent of darkness which, according to all accounts lasted from noon to three o'clock in the afternoon. The fourth, witness, St. John, who is supposed to have been standing by the cross, did not mention any of the portents alleged to have taken place either while the Nazarene was nailed to the cross or immediately after his death. And you must admit that, had such portents actually occurred, this witness who sought to present the Nazarene in the light of a divinity, would not have omitted them.

The first witness told of some other portents, not mentioned by his fellow Synoptists. He testified (Matthew XXVII : 51-53) that there was an earthquake, and the rocks were rent; and the graves were opened; and many of the saints which slept arose, and came out of their graves after the Nazarene's resurrection, and went into the Holy City, and appeared unto many. Why did Peter and the other Evangelists omit these miraculous portents? Did they consider them too unimportant to be mentioned? Or had they simply never heard of them?

Ladies and gentlemen of the jury, thus far not one Christian scholar has been able to explain who these saints were and where they had been sleeping, or why they now had to creep out of their graves?

If we are to believe this tale told by St. Matthew, then the saints, whoever they might have been,³³ arose immediately after the Nazarene gave up his soul, that is, on Friday afternoon. Then three days later, on Sunday after the resurrection, they emerged from their graves to pay visits to many people in Jerusalem. Does this mean that the saints lay there in their open graves for three days, waiting pa-

tiently for the resurrection, simply in order to frighten people with their ghostly visits? Did they return to their graves, after this visit, and lie down again, or did they remain on earth, wandering about aimlessly to infinity? And this old wives' tale, too, they say, was divinely inspired!

Ladies and gentlemen of the jury, I ask you, is this account of the portents credible? If all these miraculous occurrences actually happened, could not, then, all the men assembled in the Temple plainly see with their own eyes the sudden rending of the holy veil which separated the Holy from the Holy of Holies, amidst a rock-splitting earthquake after a three-hour period of darkness? Was this still not enough to convince those ungodly jurists that the Nazarene was a divinity, and that his execution was a grave miscarriage of justice? Could not all the people of Israel see the darkness, feel the earthquake, see the rent rocks, see or hear of the visit of the ghostly saints? Then how, I ask, could they all have remained so indifferent to all these astounding miracles? Surely this unmentioned miracle of their indifference was the greatest miracle of all!

Or is there not a simpler, less miraculous explanation? The Jews did not fall down and worship the Nazarene, because these miracles occurred nowhere but in the imaginations of the authors of the Gospels.³⁴ That would explain, too, would it not, their own contradictory accounts of events which, if they had really occurred, would have been verified by millions without contradiction.

But of these millions only one, a Roman centurion, a pagan, was so impressed with the earthquake, according to the first witness (Matthew XXVII : 54), and with the way Jesus cried out, according to Peter (Mark XV : 39), that he acknowledged that Jesus was "the son of God." No one else but this pagan centurion. I wonder what this Roman pagan knew of the concept of "the son of God"? But this we are told to believe, and on the strength of this, we are told that we must send unborn generations to their doom.

The fourth witness, ladies and gentlemen of the jury, had an entirely different story to tell in his testimony. He mentioned nothing at all of the portents and the Roman centurion, but he told some other tales. He testified (John XIX : 31-37) that the Jewish leaders, until now flagrant violators of the Law of God, suddenly grew anxious to comply with the law that no man should remain hanging overnight. So they asked the Roman Procurator to break the legs of the three men that were crucified that they might die sooner and be buried before sunset, as it was on Friday before the Sabbath and the Feast of Passover.

Dr. Ha-Levi, an expert in Jewish religion, has told you that this story is preposterous. It is incredible that influential Jews remained at Golgotha after three o'clock in the afternoon—the time set by the first two witnesses for the Nazarene's death (Matthew XXVII : 46; Mark XV : 34)—on a Friday preceding the eve of Passover, when all Jews were required to prepare their paschal lambs for the slaughtering, which began at one-thirty that very afternoon (p. 382, *supra*).

But there is another absurdity here: the time. How could Jesus have died at three in the afternoon, if according to this witness (John XIX : 14), the Nazarene at twelve noon was with his accusers at the judgment hall of the Roman Procurator?

This witness then explained (John XIX : 36-37) that the Roman soldiers did not have to break the legs of Jesus, because one of the soldiers pierced his side instead. This was done so that the Scriptures might be fulfilled! But why was this not recorded by the other three witnesses for the Prosecution? Surely the spearing of the lord was an occurrence worthy of mention. And the fulfillment of another prophecy was scarcely to be overlooked. The answer is obvious. St. John invented not only the incident but the prophecy as well. Let me remind you of the expert testimony given by Professor Kimhi in this Court (pages 496-7) concerning

the misquoting and misinterpretation of Biblical texts by the witnesses for the Prosecution.

In this connection, it is worth noting that Jesus himself according to the testimony of these Apostolic witnesses for the Prosecution (Matthew XXI : 1-7; Mark XI : 1-7; Luke XIX: 29-35; John XII : 14-16), was not above manufacturing an incident in order to "fulfil" a Scriptural passage. Before entering Jerusalem he ordered some of his disciples to go to a certain man in the village and unloose a young ass that was tied there and bring it to him so that he might ride on it while entering the Holy City. And he requested that this be done in order that, as he himself claimed, "it might be fulfilled which was spoken by the prophet." Could not a stunt like that have been performed by any impostor? Is it credible or logical that Jesus would have purposely told his disciples to bring a young ass simply to prove to the people that he was appearing to them as had been foretold by a prophet? Why, there was nothing supernatural in that! Anyone who knew that such a prophecy existed, could ride on a young ass and deceive the people.

But where, I ask, was there a fulfillment of the truly significant prophecies: that in the Messianic era there would be everlasting peace? that a lion and a lamb would live peacefully? that swords would be hammered into plough-shares, and no nation would take up arms against another? that justice and righteousness would reign supreme in this world (Isaiah II : 1-4; XI : 1-9; Micah IV : 1-4)? Anyone can ride on an ass, but not everyone can bring about this millennium, this real kingdom of God, and so, nineteen centuries after the advent of the "king of peace," these prophecies have not yet been fulfilled.

The writer of the fourth Gospel, presumably St. John, evidently aware of the incredibility of his own manuscript, testified (John XIX : 35): "And he that saw it bare record, and his record is true: and he knoweth that he saith true, that ye might believe." Was not this writer one of the twelve chosen disciples, the favorite of Jesus? I ask you, then, ladies and gentlemen of the jury, what need was there for him to

narrate the trial by the Sanhedrin, the trial by Pilate, and the crucifixion anonymously, and then corroborate the narrative, himself vouching for its truth? Did he so acutely feel the need for substantiation that he went to such absurd lengths to give his testimony the appearance of truth? Matthew and Peter were wiser; they did not plead with posterity to believe their testimony! They took it for granted that people would believe them implicitly without corroboration and pledges.

Now, according to the testimony given by the three Synoptic witnesses (Matthew XXVII : 55-56; Mark XV : 40-41; Luke XXIII : 49), the only eyewitnesses who were present at the place of crucifixion were some women, who stood afar off. How those women could have heard the words uttered by the Nazarene from the cross, is, at best, problematical. Learned Christian authors have found it difficult to explain.³⁵

And so, we are faced with another contradiction. Three witnesses for the Prosecution definitely assert that these women were the only witnesses present at the cross. According to Matthew (XXVI : 56) and Peter (Mark XIV : 50), all the disciples, except Peter, had forsaken Jesus and fled, including John, the supposed writer of this fourth Gospel. John himself tells us (XVIII : 8) that Jesus had obtained permission for his disciples to go their own free way. But he goes on to tell us about this one mysterious disciple who keeps on appearing at every critical moment: in the palace of Annas (John XVIII : 15) and at the cross (John XIX : 26). Of all the other disciples we lose track until after the alleged resurrection of Jesus (Matthew XXVIII : 8 ff.; Mark XVI : 7 ff.; Luke XXIV : 9 ff.; John XX : 2 ff.).

Now, if it is true that John's mysterious disciple is none other than John himself, it is equally true that the witnesses for the Prosecution are contradicting each other. If the mysterious disciple is not John, but an unknown, unidentified "somebody," we can hardly be asked in a court of law to put any credence in his testimony.

Now, ladies and gentlemen of the jury, all the witnesses testified (Matthew XXVII : 57-60; Mark XV : 43-46; Luke XXIII : 50-53; John XIX : 38) that a certain Joseph of Arimathaea asked Pilate for the body of Jesus that he might bury it. It is a very simple incident, which would not seem to be subject to contradictions. But even about this simple account, the witnesses disagree. Matthew and Peter testified that Joseph came to ask for the body of Jesus in the evening, which means at sunset or later. (Certainly it could not have been any sooner than that, since it was not before three o'clock in the afternoon that Jesus expired.) But no religious Jew, least of all Joseph who was a member of the Sanhedrin (Mark XV : 43; Luke XXIII : 50) would have dared to perform burial ceremonies after sunset on Friday evening, thus flagrantly profaning the Sabbath.³⁶

But neither was it possible for Joseph to have interred Jesus' body before sunset. Jesus died some time after three o'clock. In the three hours remaining before sunset, Pilate, according to Peter (Mark XV : 44-45), asked his centurion to verify Jesus' death, which means that this centurion had to return to Golgotha, and back again to Jerusalem to report to Pilate. Then Joseph went to the market place in Jerusalem, bought linen (Mark XV : 46), walked back to Golgotha, removed the body from the cross, wrapped it in the linen, carried it to his own sepulchre (Matthew XXVII : 60), and then rolled a stone to the mouth of the grave. I insist that it was a physical impossibility to accomplish all this in less than three hours.

There is another discrepancy here. The Jewish law forbids the selling and purchasing of anything on a Festival. How, then, I ask, could Joseph have gone out in the city of Jerusalem, as Peter has testified (Mark XV : 46), on the first day of Passover, and bought linen? Certainly no store would have been open.³⁷

The four witnesses disagreed among themselves as to who this Joseph of Arimathaea really was. Matthew (XXVII : 57) and John (XIX : 38) averred that he was one of the

disciples of Jesus. According to Peter (Mark XV : 43) and Luke (XXIII : 50-51), he was merely one who awaited the kingdom of God, which does not signify at all that he was one of the disciples, as has been explained in this Court by Dr. Ha-Levi (pp. 384-5, *supra*).

The fourth witness contradicted the other three witnesses, by stating (John XIX : 39-40) that not only Joseph of Arimathaea but Nicodemus, too, participated in the burial. Is not this witness extremely inconsistent? After testifying that the Jewish leaders refused to enter the judgment hall lest they become defiled and be unable to eat the passover (John XVIII : 28), he now would have us believe that not one but two members of the Sanhedrin rendered themselves impure for seven days, according to the Law of Moses (Num. XIX : 14-16), by coming in contact with a dead body.

Concerning the purchase and preparation of the spices for Jesus' burial, there is no agreement whatsoever among the witnesses. Matthew (XXVII : 61-XXVIII : 1) says nothing at all about these spices. Peter states (Mark XVI : 1) that Mary Magdalene, and Mary the mother of James, and Salome bought sweet spices to anoint the body of the Nazarene. The third witness testified (Luke XXIII : 55-56) that some unknown women from Galilee had "prepared" (not "bought," as Peter would have it) spices and ointment, and after resting during the Sabbath, they brought the spices with them on the first day of the week. The fourth witness testified that Nicodemus brought one hundred pounds of spices to wrap the Nazarene in (John XIX : 39-40). Which, if any, of these witnesses is telling the truth?

The first witness, but none of the others, testified (Matthew XXVII : 62-66) that on the Sabbath, not only the chief priests, who were presumed to be members of the Sadducean party, but also the Pharisees, came to Pilate and demanded that the sepulchre where the Nazarene was buried, be made secure, so that no one could steal the body, and thereafter spread the false report that Jesus had risen from the grave.

This witness would have you believe that the Pharisees, the most zealous guardians of the law and especially of the

sanctity of the Sabbath, now publicly profaned the Sabbath by making the sepulchre secure and sealing it. Ladies and gentlemen of the jury, to my mind nothing can surpass the ignorance and the arrogance of this witness in recording for posterity such a preposterous story!³⁸

THE RESURRECTION

Now, with the permission of the Court and with your kind indulgence, ladies and gentlemen of the jury, we shall analyze the testimony relating to the resurrection of the Nazarene. All Christian theologians and many authors contend that the resurrection is to be considered as an historic fact which proves the divinity of Jesus. (Chandler, "Trial of Jesus," vol. I, p. 211, and others). Alfred Edersheim ("Life and Times of Jesus the Messiah," vol. II, p. 629) contends that the event of the resurrection "may unhesitatingly be considered the best established in history." But even about this most important incident, which is supposed to prove the divinity of Jesus and upon which the entire structure of Christianity is built, the witnesses for the Prosecution contradict one another.

All the witnesses for the Prosecution testified (Matthew XXVIII : 1; Mark XVI : 1-2; Luke XXIV : 1; John XX : 1) that certain women came to the sepulchre of the Nazarene on Sunday morning. But how many women? And when did they come? Matthew says two women came as it began to dawn. Peter says three women came at the rising of the sun, which is at least half an hour later. Luke says merely that women came very early in the morning without mentioning how many. The fourth witness, St. John, says only one woman, Mary Magdalene, came to the sepulchre, while it was still dark.

Matthew has an earthquake again, a common occurrence with him. This particular earthquake accompanied the descent of an angel from heaven. Unlike other normal earthquakes, this one was felt only by Matthew and disturbed none of the other witnesses. Now the angel rolled away the stone which Joseph of Arimathaea had placed at the entrance

to the sepulchre two days before, and sat down on it. It is hard to say why the Roman soldiers, assigned by Pilate to guard the sepulchre, were honored by the Almighty with the sight of an angel face to face, a blessing denied to the Apostles of Jesus and to many thousands of saints. The pious Manoh, the father of Samson, upon seeing an angel of God, said to his wife (Judges XIII : 22): "We shall surely die, because we have seen God." Nevertheless, according to Matthew, it was granted to these Roman pagans to look upon an angel.

We are then told (Matthew XXVIII : 7) that the angel commanded the women to inform the disciples that the Nazarene had risen and that he would appear before them somewhere in Galilee. The women ran quickly to do the angel's bidding.

Peter's story is slightly different. He testified (Mark XVI : 4-8) that a young man, apparently an angel, sat inside the sepulchre, not outside on the stone, and there was no Roman guard present. But where St. Matthew testified (Matthew XXVIII : 8) that the two women "did run to bring his disciples word," St. Peter averred (Mark XVI : 8): "Neither said they anything to any man; for they were afraid." The question is, ladies and gentlemen of the jury: did those women deliver the message of the angel to the disciples or not? Are we to believe St. Matthew or St. Peter?

Now, the third witness, St. Luke, testified (XXIV : 1-10) that the women—there were many of them—entered the sepulchre, and suddenly found themselves accompanied by not one but "two" angels. St. Luke's angels were not sitting at all, either outside or inside the sepulchre, but suddenly stood by them (XXIV : 4).

According to this witness (Luke XXIV : 5-7), these two angels carried on a conversation with the women, but mentioned nothing about informing the disciples of the resurrection of the Nazarene or of his intention to meet them in Galilee. The women, however, of their own volition, went to the disciples with that bit of information, but the disciples believed them not, "their words seemed to them as idle tales"

(XXIV : 9-11). Peter, nevertheless, arose and went to the sepulchre, and finding the empty linen clothes, he wondered, and that was the end of it (XXIV : 12).

Peter himself, oddly enough, in his own testimony, mentioned nothing whatever about this incident; on the contrary, he expressly stated (Mark XVI : 8) that no information had been given him at all by the women who first visited the sepulchre.

Now along comes the fourth witness, St. John, with an entirely different story, differing in every detail from the stories told by the first three witnesses. He tells us (John XX : 1-18) that Mary Magdalene came alone to the sepulchre on Sunday morning, and saw that the stone had been rolled away. She saw no angels and heard nothing. She immediately ran to Peter and told him—not any of the other disciples—that the stone had been removed. Peter thereupon started for the sepulchre, when suddenly another mysterious disciple crept into the scene. He started a race with Peter, and reached the sepulchre first, but waited for Peter to arrive before entering. When they did not find the body of the Nazarene, but only the clothes and the napkin, they went home, too unimpressed, apparently, to report their marvelous experiences to their colleagues.

St. John now returns Mary Magdalene to the scene. We discover her standing by the sepulchre, shedding tears of sorrow because she was under the impression that the body of her lord had been stolen from the grave, and she was unable to find him.

Then she suddenly heard a voice which she mistook for the voice of the gardener, but at last recognizing Jesus' voice, when he called her by her first name, Mary, said "Rabboni," and no more. Then Jesus told her not to touch him because he had not yet ascended to his Father, and he instructed her to go and tell his brethren that he was ascending. Mary Magdalene, accordingly, now went to the disciples and informed them of the words spoken to her.

Matthew (XXIV : 9)¹ expressly stated in this Court that Mary Magdalene and the other Mary "held him by the feet,

and worshipped him." Jesus, according to this witness, did not object to the women's touching him before his ascent. But St. John contradicts him; he insists that Jesus ordered Mary not to touch him.

I ask you, ladies and gentlemen of the jury: Is there a single sentence spoken by this witness which does not contradict the testimony of the other three witnesses for the Prosecution? How can such garbled tales as these be taken for historic facts? And yet it is upon this evidence, and only this evidence, that the Prosecution demands a verdict of guilty!

THE APPEARANCES

The story continues in the same vein. We are told of various appearances of the Nazarene to his disciples and some women after the alleged resurrection.

The first witness testified (Matthew XXVIII : 9-10) that while the women were bringing the angel's message to the disciples, the Nazarene appeared to them, and instructed them to tell his brethren that they would see him in Galilee.

St. Peter, at this point, began contradicting his previous testimony (Mark XVI : 1-8) by telling us (l. c. XVI : 9-11) that the Nazarene made his first appearance (we are not told where) early Sunday morning to Mary Magdalene, out of whom he had once chased seven devils. She, in turn, went to the disciples and told them of the Nazarene's appearance to her and of his message to them, but they did not believe her.

Now let us try to sum up the appearances of the Nazarene after the crucifixion, if possible. I say, if possible, because the testimony is extremely confusing.

According to the testimony of the first witness (Matthew XXVIII : 9-20), the Nazarene made only "two" appearances. He first appeared to two women, Mary Magdalene and the other Mary (whoever that was), while they were on their way to the disciples with the angel's message. The Nazarene simply repeated the same message, that the disciples should go to Galilee. The second appearance was made

to the eleven disciples somewhere in the mountains in Galilee. In spite of the Nazarene's alleged repeated declarations that he would rise on the third day after the crucifixion (Matthew XVI : 21; XVII : 23; XX : 19), and in spite of this miraculous appearance, "some of them doubted," even now, when they saw him in the flesh. Such infidelity is truly astounding.

The second witness testified that the Nazarene made "three" appearances after his crucifixion. The first was to Mary Magdalene only (Mark XVI : 9). The second was to two unnamed disciples, as they went into the country (l. c. 12). The third was to all the eleven disciples, as they sat at meat (l. c. 14). All three appearances were made, according to this witness, in or around the vicinity of Jerusalem, but none in Galilee. This witness, St. Peter, thus doubly contradicts St. Matthew who testified that there were only two appearances, and that the second of these was in Galilee.

That St. Peter should have contradicted a fellow-disciple is hardly a noteworthy event especially when one considers the plethora of contradictions which we have already run across. But when St. Peter contradicts his lord, the Nazarene, that is something remarkable, indeed.

St. Peter himself had quoted his lord and the angel that the Nazarene would meet the disciples in Galilee (Mark XIV : 28; XVI : 7).³⁹ But that promise or prophecy, according to the same St. Peter, was never fulfilled.

Like St. Matthew, St. Luke reports (XXIV : 13-43) that the Nazarene made only two appearances. But let us see to whom, where, and under what circumstances these alleged appearances were made. This witness relates that the Nazarene appeared to two followers, not of the chosen group of eleven, while they were on their way to a village called Emmaus, and entered into a lengthy conversation with them. At first they were unable to recognize him, for some inexplicable reason, because "their eyes were holden that they should not know him" (Luke XXIV : 16).⁴⁰ After calling them fools (l. c. 25-27) for failing to understand the Biblical prophecies about his resurrection, he agreed to stay to

supper with them. Then, when they recognized him, he vanished (*l. c.* 31). They returned to Jerusalem and informed the eleven disciples and the others that were with them, that the lord Jesus had actually risen, and appeared to Simon (*l. c.* 33-34). They apparently were reluctant to tell them the truth that Jesus appeared to them—we don't know why—and instead told them that he had appeared to Simon, although until now nobody had ever said a word about this appearance to Simon.

Thereupon, the Nazarene himself stood in the middle of the company, and he said to them, "peace be unto you" (*Luke XXIV : 36 ff.*). They were afraid, because they thought they had seen a ghost. But he calmed their fears, by showing them his hands and his feet, and also by asking them for something to eat. They gave him broiled fish and a honeycomb, which he ate. Then he delivered a sermon to them.

Now, ladies and gentlemen of the jury, there is not one iota of this entire account of the appearances of the Nazarene which corroborates either of the previous two witnesses. It would be too tedious and boring to point out all the differences, but they are in the record. I should, however, like to remind you that according to St. Luke, Jesus failed to appear to any women at all.

Now comes the testimony of the fourth witness, St. John, which denies every single account given by the other three.

This witness testified (*John XX : 14-31; XXI : 1-14*) that the Nazarene actually appeared four times after his crucifixion. Once he appeared to Mary Magdalene near the sepulchre (*XX : 14*), and thrice to his disciples. One appearance was made to all the disciples except Thomas Didymus who doubted the whole story (*XX : 19, 24-25*). The second appearance the Nazarene put in eight days after, in order to convince the unbeliever Thomas Didymus by permitting him to touch his hands and his side (*XX : 26 ff.*). The third appearance was made to seven disciples (*XXI : 1-14*) at the sea of Tiberias, while Peter and the others were fishing.

Here we have the four witnesses for the Prosecution testifying to the resurrection and appearances of the Nazarene, and no two of them are able even to substantiate one another. I ask you, ladies and gentlemen of the jury, has history ever been recorded in this fashion? History has but one truth to tell, but one truth to relate. Sometimes I cannot help wondering if these witnesses, these four Gospel writers, were not really making sport of us all—to mock history and torment humanity.

RESUME OF RESULTS AND FINDINGS

Now, ladies and gentlemen of the jury, with the permission of the Court and your kind indulgence, I shall summarize briefly the conclusions which, I believe, must be drawn from the mess of contradictions and incongruities discovered by cross-examination and by the testimony of the expert witnesses.

Cross-examination has proved conclusively, that:

1. Much of the testimony given by the witnesses is not in conformity with human experience;
2. Each of the witnesses for the Prosecution has shown himself to be inconsistent and self-contradictory;
3. The witnesses for the Prosecution contradict one another concerning even the most important events—such contradictions are not the exception but the rule. Among these contradictions are included questions of time, place, identity, and even the very nature of the issues involved.

From the expert testimony given by the witnesses for the Defense, it has been proved beyond a shadow of a doubt, that the writers of the four documents which form the only source of the accusation against the Jew, could not have been eyewitnesses, nor could they have been contemporaries of the Nazarene, on the following grounds:

1. They had no knowledge whatever of contemporary Jewish history, nor were they acquainted with Palestinian geography;
2. They were totally unfamiliar with the religious prin-

ciples and the rituals of the Jewish people practiced at that time;

3. They did not have the slightest conception of the Jewish system of law and procedure or of the functioning of Jewish courts of law at the time of the Nazarene;

4. They were equally unacquainted with Roman law and procedure as practiced in the province of Judea;

5. No educated Jew at that time could have been guilty of such dishonest or ignorant misinterpretations and misquotations of the Scripture as were made by these witnesses in their effort to bolster their own narratives;

6. The Hebrew and Aramaic words and terms employed by the witnesses in their documents were either not known to the Jews who lived at that time, or were incorrectly used by the witnesses.

Ladies and gentlemen of the jury, many attempts have been made by Christian jurists and apologists, to draft legal sketches of the trials of the Nazarene in the Jewish court of law and before Pontius Pilate, and also to reconcile the inconsistencies in the documentary testimony recorded by the Evangelists. As the Four Gospels are the only extant source of such information, and as each of them had to be considered divinely inspired and true, these apologists were faced with an insuperable task. The method of attack of most modern learned scholars is aptly described by Professor Husband ("The Prosecution of Jesus," p. 102): "The story of the course of events connected with these proceedings to the time in which Jesus was delivered over to Pilate is usually written by making a combination of the narratives of the Gospels. This method of handling the episode is based upon the belief that each of the Gospels may be used to supplement the other three."

This theory may rightfully be adopted where research is done on ancient documents containing isolated fragmentary details. But when the documents expressly contradict one another about one and the same incident, the method cannot but fail. To accept one piece of testimony of one witness and by rejecting another piece, attempt, jig-saw

fashion, to fit it into the testimony of another witness is patently dishonest and impermissible in a court of law. We cannot reconcile contradictions by convenient omissions of specific testimony. Either a witness has told the truth and his testimony is reliable, or he has falsified his facts and his testimony must be rejected, not in part according to convenience, but in its entirety, according to principle. This is a fundamental principle of evidence in any system of law, Jewish or non-Jewish, ancient or modern.

Furthermore, ladies and gentlemen of the jury, the use of such an anagrammatic method of collating and deleting testimony would in essence destroy the very foundations of Christianity itself. Just as the Four Gospels are the sole source of the charge against Jewry, so are they the sole source of the Christian theology. To reject any portion of those Gospels would be to reject their divine inspiration. If one part may be rejected, all may be subject to the same doubt and the same cynical rejection.

In the case before you, ladies and gentlemen of the jury, I ask you to examine carefully these contradictions and omissions in the testimony of the four witnesses for the Prosecution. And when you find that these witnesses disagree among themselves, let not prejudice or misguided zeal blind you. The way of the apologist is not and can never be the way of truth or justice.⁴¹ Remember, what we are seeking is not a patchwork of superficial harmony but the hard core of historic fact. There is but one plausible explanation for the many important contradictions and equally important omissions in the testimony of these witnesses for the Prosecution: their testimony is untrue; their facts are not facts at all. Their accusations must once and for all be rejected that they may cease to plague the earth.

Ladies and gentlemen of the jury, I know that the Prosecution will say, after hearing our indisputable proofs: "Well, we do admit that the Court at Jerusalem, the Great Sanhedrin, did not try Jesus in conformity with the then existing Jewish system of law and procedure. But that was because they wished to dispose of him without due process

of law, to murder him behind the screen of a farcical trial to satisfy public opinion which they dreaded." Therefore, the more convincingly the Defense proves that the records of the trial of Jesus are not in consonance with the Mosaic and Talmudic laws, the more convinced seems the Prosecution that the Jewish judges were guilty of disregarding all established laws and rules of procedure. Of course, they will not deduce from the incontrovertible proof offered by the Defense, that the records upon which the Prosecution bases its case, are false and inaccurate.

On this score, ladies and gentlemen of the jury, let me again quote Professor Husband ("The Prosecution of Jesus," p. 10) who says: "A third point which has not been sufficiently recognized is that the proceedings of a court must be presumed to have been in strict accord with the settled and prescribed rules or customs, and the findings of the court must be presumed to have been correct, unless the actual records of the court show clearly to the contrary, or unless it can be proved that the case was reported by absolutely competent and un-biased eyewitnesses."

Such, ladies and gentlemen of the jury, has been the accepted rule of evidence in all civilized courts of law. And in the present case, the witnesses have been proved by the Defense, beyond a shadow of a doubt, to have been both incompetent and biased.

Let us imagine that one hundred years from now, there are discovered four different reports of a trial alleged to have been conducted by the Supreme Court of the United States, and these are the sole reports extant. No other reference to the trial can be found, even after the most exhaustive search. Let us assume that this case has been recorded in exactly the same manner, style, obscurity, ambiguity, divergency, incongruity, and ignorance as that recorded by the writers of the Four Gospels, and that by its account, the Supreme Court judges appear to have flagrantly violated every historically known rule of law and procedure and, in addition, have made an endeavor to procure false witnesses. Assume also, that by studying the history of the period, we find that the reporters

were absolutely unfamiliar with the Federal law and court procedure of the United States. Would we, under such circumstances, conclude that the judges of the Supreme Court of the United States were murderers, seeking perjured testimony and deliberately ignoring all established principles of law and procedure? Or would we not rather conclude that the reporters were guilty of recording an absurd and libelous fiction? It is in this way that I ask you to approach the case of the Nazarene.

It has been conclusively proved by the Defense in this Court, not only that the facts as related in the Gospels with reference to the trial of the Nazarene do not conform to the Jewish system of jurisprudence, but also that many statements recorded in that testament are historically untrue, logically unsound, and untenable. In one vital account after another, these witnesses for the Prosecution have denied and contradicted one another. Consequently, their testimony should be considered by you, ladies and gentlemen of the jury, null and void and inadmissible.⁴²

WHY THE JEWS REJECTED THE NAZARENE

The Prosecution contends that the Jew must be persecuted and hated because he rejected the Nazarene. But this rejection, ladies and gentlemen of the jury, was not only his privilege but his obligation to the glorious monotheistic heritage handed down to him through many generations. For centuries before the advent of the Nazarene, the Jew had developed his abiding faith in the existence of one spiritual, incorporeal God, who was, is, and will be. Neither He nor His Word, the Law given by Him to Moses, is subject to change.

When the Nazarene came, the Jewish leaders of thought and religion could not and did not object to his association with common people and publicans. It is ignorance and folly to contend that the Jewish teachers objected to his efforts to bring sinners to repentance. Such efforts had always been encouraged by the Jews even from the earliest times. This is fundamental and known to every student, and therefore there

is no need for me to go into detail or cite authorities.⁴³

What the Jewish leaders objected to was the dogma developed by the early Christians that the Nazarene was a divinity,⁴⁴ equal with God (John V : 18; VIII : 56-59; X : 30-33). The idea of "God manifest in the flesh," was the antithesis of the Jewish concept of Deity. "And because that thou being a man, makest thyself God," was the sole complaint of the Jews, according to the Johannine Gospel (X : 33), and it was for this reason that they rejected him.⁴⁵

The Jews rejected the Nazarene as their Messiah, the anointed of God. And this, too, they had a right to do. Especially then, the Jews were not in need of spiritual leaders to save their souls from perdition and provide them with a blissful hereafter. Those very Pharisees and Doctors of Law, who were branded by the Nazarene as hypocrites, vipers, and by many other disgraceful epithets unbecoming a deity, as recorded by the Gospel writers, had provided the Jews of those generations with a system of religion and morality which has not been surpassed even to this very day. Their souls had been amply provided for. What the Jews were badly in need of was a Messiah to free them from the yoke of their cruel Roman oppressors, so that they could regain their independence and observe their Law and religion without foreign interference (Luke I : 68-69; XXIV : 21; Acts I : 6). They did not look for a Messiah to die for them on the cross as a vicarious atonement to redeem them from original sin. As Dr. Ha-Levi, an expert in Jewish religion, has proved to you, such a thought was entirely foreign to the Jewish religion (pages 358-60, *supra*).

THE JEWS CANNOT BE HELD GUILTY

The Prosecution, ladies and gentlemen of the jury, justifies the murderous acts and cold-blooded atrocities of the past two thousand years by pointing to the alleged miscarriage of justice committed many years ago by a Jewish court at Jerusalem. This justification is hypocritical, hollow, and false.

In the first place, ladies and gentlemen of the jury, it

is against all law and justice to persecute millions for an unproven crime alleged to have been committed by some of their forefathers centuries ago. There is an express prohibition in the Law of God which cannot be ignored by the Prosecution and which expressly states (Deut. XXIV : 16): "Fathers shall not be put to death for the children, neither shall the children be put to death for the fathers: every man shall be put to death for his own sin." Even the most barbaric rulers of the hoary past, who were believers in the literal interpretation of the *lex talionis*, such as Hammurabi and others, would not justify the killing of thousands of people, generation after generation, for a crime alleged to have been committed by some unjust court of law in the remote past.

Secondly, if the Prosecution honestly believes that the Gospels were divinely inspired, how can they deliberately ignore and defy the statement made by St. Luke, the third witness, that the Nazarene prayed (Luke XXIII : 34): "Father, forgive them: for they know not what they do"? Does the Prosecution, too, reject their lord? Does the Prosecution dare to contend that the Father heeded not the prayer of his son on the cross? Regarding this terrible hypocrisy of the Church and its followers, one of our modern devout Christian authors, Walter M. Chandler ("Trial of Jesus," vol. II, p. 183) exclaims: "False and hypocritical our religion, if while professing faith in Jesus we continue to persecute those for whom he prayed."⁴⁶

Thirdly, ladies and gentlemen of the jury, was it not the Nazarene himself who repeatedly emphasized that his Father had sent him down to be crucified for the remission of the sins of mankind? This was destiny, unalterable by man. Yet according to the Prosecution, the Jews are to be most barbarically punished for their alleged participation in a drama conceived and enacted by the commandment of the Almighty! What warped logic is this!

Think of it! The merciful God in His wisdom decrees that He shall beget a son in the flesh, born of woman, who shall be condemned by His people Israel, and crucified by

the Romans, in order that he may serve as a sacrifice brought to Himself by Himself to appease His anger against sinful humanity and thereby bring salvation to the world. And having planned and wrought this drama to completion, the Almighty will curse the innocent actors, the Jews, holding them answerable to endless generations with their blood, liberty, honor, with everything dear to the human heart, for having executed His will. What a cruel plot on the part of the merciful Father in heaven! Did the Jews have an alternative in the matter? Of course not. They were bound by His will to condemn His son and hand him over to the Roman Procurator. To order the crime, and to condemn the criminal! I submit that while this may be the morality of the Church, it is by no means the morality of God. God is not a hypocrite!⁴⁷

No, ladies and gentlemen of the jury, there is no justification, there can be no justification for the crimes committed against the Jewish people during the past two thousand years. The guilt will not be washed away. The Gospels and the unnumbered books of the apologists have all been written in pen and ink. But the crime against the Jew and the guilt of Christianity are written in blood.

THE MOTIVE

It has been asked why should the early Christians have hated the Jews so bitterly that they should have invented this brutal and cynical legend of the murder of their lord by the Jews? Why did they not blame the Romans as the crucifiers if the Jews were really innocent? Why did they go to such lengths to exonerate the Romans from all responsibility?

Their motive was clear: to avenge themselves upon the Jews who would not accept their newborn faith and who stood as a religious barrier to their goal of universal Christianity; and at the same time to win the physically powerful Romans to their cause.

Try as they might, the early Christians completely failed in their attempt to wean away the intelligent Jews from Judaism to the doctrine of the belief in the "son of God" (John VII : 47, 48, 49). According to the testimony of the

Gospels (Mark XII : 37), only the uneducated common people—and even those apparently not in great numbers—followed the Nazarene,⁴⁸ but the educated Jews paid no attention to either the Nazarene or to his Apostles. In general, the Jews have always had a low regard for ignorance and want of learning, and the Nazarene was not learned (John VII : 15). He came from Galilee which was lacking in houses of learning.⁴⁹ According to the fourth witness, St. John (I : 46), “Can there any good thing come out of Nazareth?” and again (VII : 52), “For out of Galilee ariseth no prophet,” were by-words among the Jews. He was unable to attract the erudite with the simple common-sense rules of morality, imputed to him, which contained neither loftiness of thought nor any new elements of justice which were not known to them already. Nor did the Apostles possess the learning necessary to convince intelligent people to adopt a new doctrine of a deity. They were described in the Gospels as being “ignorant and unlearned men” (Acts IV : 13), when speaking of the most prominent two of the Twelve chosen ones, Peter and John. A Christian author, Matthew Henry (“Commentary on the Holy Bible,” John XIII : I, i (1), end), says, referring to the Twelve: “They were weak and defective in knowledge and grace, dull and forgetful; and yet, though he *reproved* them often, he never ceased to *love* them, and *take care* of them.” Consequently, without the moral support of the learned Jews no success could be achieved by the Apostles in Judea, and the Nazarene and his alleged doctrines were rejected (John VII : 13; IX : 22; XII : 42).

The first Christians, therefore, and among them the authors of the Gospels, became anti-Jewish and pro-Gentile. They decided to cater to non-Jews who proved to be better subjects than the Jews (Acts XIII : 46-48; XVIII : 6; a. f.). St. Paul in his dismay, when he failed to make the Jews understand him and accept the Nazarene, announced (Acts XXVIII : 28): “Be it known therefore unto you, that the salvation of God is sent unto the Gentiles, and that they will hear it.”

They began to use hatred for the Jews as a lever for

their conversion of pagans. Like other demagogues before and after them, they discovered that the persecution of a people could be turned to profit. And so they bore and nursed this monstrous offspring, anti-Semitism. To the common people of Rome and of the provinces they proffered a new slogan: You who are persecuted can now be strong; for in this world are people weaker than yourselves: there are Jews to persecute, to rob, to kill. And so the plague of anti-Semitism spread across the earth.

They needed reasons for hatred; the reasons were found: The crucifixion of Christ, the rejection of his godhood and the consequent diversion of God's favor to the Gentiles (Matthew VIII : 12; XXI : 43).

This method of Jew-baiting, ladies and gentlemen of the jury, has become a literary art which persists to this day. Let me quote from the introductory note to St. Matthew, in "Douay's Edition of the Bible" (C. Wildermann Co., New York): "The scope and object of the first Gospel is all the same clear. After the increasing blindness and obduracy of the Jews repudiated the oral teaching of the Apostles, he addressed a last word of admonition and rebuke to his unhappy compatriots, that at least in the last hour, before the impending judgment, before the total rejection, *before the diversion of God's favor to the Gentiles*, [Italics mine], they might acknowledge Jesus as the promised Messiah, and renounce the cause of the hypocritical seducers, the scribes and the pharisees."

To the Gentiles, the pagans, the teachings of the early Christians, that Jesus was a son of God, and equal with God, were readily acceptable. To them, as polytheists, the begetting of a human son by a god was no novelty. The pages of Grecian and Roman mythologies were full of such incidents.

The early Christians were embarrassed, however, when these pagans asked how Jesus had come to be crucified by Romans, pagans like themselves. There were, no doubt, many disturbing aspects to this question. They, therefore, invented the story that Jesus had originally come to his own people, the Jews, as their expected liberator, the Messiah (Matthew

X : 5-6; XV : 24; Acts III : 25-26; XIII : 46), but that they had rejected him through sheer obstinacy and ignorance. To bolster this story, they found some detached passages throughout the Holy Bible, which when properly misconstrued or even misquoted, would prove that it had been prophesied centuries before that the Messiah, or Christ, would have to be crucified and resurrected in order to become God and bring salvation to mankind.⁵⁰ Surely the pagans would have no trouble in grasping the idea which they attributed to God, of appeasing divine wrath by human sacrifice.

But even a pagan must have found it difficult to understand why the fulfillment of such prophecies should be entirely left to the Roman pagans whom the Nazarene at first abhorred (Matthew XV : 26; Mark VII : 27). To overcome this obstacle, and at the same time to put their hatred of the Jews to the fullest possible use while absolving the Romans, they invented a Jewish trial, a Jewish conviction, and, after an unavoidable Roman crucifixion, a Jewish burial.

Here is another example of perverted Christian logic! They received the benefit of God's favor by the refusal of the Jews to accept Jesus, from whom and to whom he came, and yet they mercilessly persecute the Jews, their benefactors, for having afforded them this great opportunity!

Fortunately, ladies and gentlemen of the jury, the writers of this drama betrayed a strange lack of acquaintance with the Jewish system of jurisprudence, religion, and institutions which existed at the time of the Nazarene, and a remarkable unfamiliarity with the Roman system of law. Being "unlearned and ignorant men" (Acts IV : 13), they likewise betrayed a lack of general knowledge and erudition. As a result, they were unable to conceal their own fraud. But it must be admitted that in this legacy of falsification, vagueness, and ambiguity, they have given an opportunity to thousands of future followers to heap confusion upon confusion until the truth becomes lost in the maze of contradictions and pious apologies.

Now, ladies and gentlemen of the jury, as further proof that these Four Gospels now in evidence were not written by the witnesses whose names they bear, I should like to point out to you that they represent two divergent and diametrically opposite trends. We find in them statements that are pro-Semitic and anti-Semitic; statements which support and attack the Mosaic Law; and statements which prove that the Jews were favorably inclined toward the Nazarene, and that they hated him violently.

Pro-Semitic tendencies are expressed by St. Matthew (XV : 26) and by St. Peter (Mark VII : 27), when they tell us that the Nazarene called the Jews by the endearing term of "children" and the Gentiles by the despicable term of "dogs." Matthew quotes the Nazarene as refusing aid to a woman of Canaan, saying: "It is not meet to take the children's bread, and to cast it to dogs." And the same answer was made by the Nazarene, but to a woman of Greece, according to St. Peter.

"I am not sent but to the house of Israel," was the emphatic assertion made by the Nazarene, according to the Gospel writers (Matthew XV : 24; Acts III : 25-26; XIII : 46). The Nazarene therefore instructed his Apostles: "Go not into the way of the Gentiles, and into any city of the Samaritans enter ye not: But go rather to the lost sheep of the house of Israel" (Matthew X : 5-6). And even after the resurrection, the Nazarene instructed his Apostles to preach in his name among all nations, "beginning at Jerusalem" (Luke XXIV : 47), thus giving preference to the Jews. He showed special love for a son of Abraham (Luke XIX : 19). The name of Jesus, in Hebrew Joshua, is interpreted by the first witness for the Prosecution (Matthew I : 21): "For he shall save his people from their sins."

At the same time, ladies and gentlemen of the jury, we find in the Gospels most bitter anti-Semitism. "But the children of the kingdom [referring to children of Israel] shall be cast out into outer darkness: there shall be weeping and gnashing of teeth" (Matthew VIII : 12), because "he has

found no such faith in Israel" (*l. c.* verse 10). "The kingdom of heaven shall be taken away from you [Israel] and given to a nation bringing forth fruits thereof" (Matthew XXI : 43). The Nazarene became the "salvation of the Gentiles" (Romans XI : 11); "In his name shall all the Gentiles trust" (Matthew XII : 21). The Jews are described as the real crucifiers of the Nazarene (Matthew XXVII : 22-23; Mark XV : 14; John XIX : 12; Acts IV : 10). The Jews and their spiritual leaders are depicted as bloodthirsty tyrants and fiends (John VII : 1, 13; VIII : 44; X : 31; *et al.*).

On the subject of the Mosaic Law, we come across many irreconcilable assertions. We find this statement attributed to the Nazarene (Matthew V : 17-19): "Think not that I come to destroy the law, or the prophets: I am not come to destroy, but to fulfill, etc." St. Luke quotes the Nazarene as saying (XVI : 17): "It is easier for heaven and earth to pass, than one tittle of the law to fall." Several times the Nazarene urged the people to observe the practice of the Mosaic Law. According to St. Peter (Mark I : 44), the Nazarene ordered the leper whom he had cured: "But go thy way, and shew thyself to the priest, and offer for thy cleansing those things which Moses commanded" (Lev. XIV : 3, 4, 10). St. Luke, too, tells exactly the same story (Luke V : 14).

On the other hand, ladies and gentlemen of the jury, we discover statements which show contempt for the Mosaic Law. The Nazarene justified the profanation of the Sabbath (Matthew XII : 1-8; Mark II : 23-28; Luke VI : 1-5). He abrogated the Mosaic Law (Lev. XI; XX : 25-26; Deut. XIV : 3-21) which prohibits the eating of certain forbidden foods (Matthew XV : 11-12; Mark VII : 14-19). He abrogated the law of divorce (Deut. XXIV : 1), and declared that the Almighty permitted it merely because of "the hardness of your heart" (Matthew V : 31-32; Mark X : 2-10; Luke XVI : 18). In the claim that he gave a new testament, he implied that the old testament of God was abolished (Matthew XXVI : 28; Mark XIV : 24; Luke XXII : 20).

There are obvious contradictions in the Gospels con-

cerning the attitude of the Jews toward the Nazarene. At first we are told that the Nazarene was popular among the Jews. They gave him a royal reception when he entered Jerusalem a few days before the crucifixion (Matthew XXI : 1-15; Mark XI : 1-10; Luke XIX : 29-36). Even the Pharisees were friendly to him and warned him against Herod (Luke XIII : 31).

But later on, we are told that the Jewish populace unanimously insisted that he be crucified, and that these same Pharisees conspired to murder him (Matthew XII : 14; XXI : 46; XXVI : 3-6; Mark III : 6; XII : 12; XIV : 1; Luke XXII : 2; John VII : 1, 25, 30, 45; VIII : 40; XI : 47, 57; a. f.).

Ladies and gentlemen of the jury, from the above incongruities, only one logical conclusion can be drawn, namely, that each Gospel was written by not one man but by many, and not at one time but over a period of many years. Those who wrote in the period closest to that of the Nazarene's alleged ministry show the least animosity and the greatest kinship with the Jews, their leaders and their Law. The more remote the writers were from the scene in both time and space, the more they betray their hostility to the Jews and everything Jewish. This explanation would also account for many of the hopelessly irreconcilable errors and contradictions throughout the testimony of the four witnesses for the Prosecution.

WHY THE DEFENDANTS MUST BE ACQUITTED

Ladies and gentlemen of the jury, at no time in the annals of history has such a grave injustice been committed against any individual or people. In the name of fairness, justice, and of what is best in Christianity itself, I beg of you to weigh carefully the evidence presented before you in this Court.

The gravest responsibility has been cast on your shoulders, ladies and gentlemen of the jury. The blood already spilt through the ages, and the blood of the countless victims to come cries out to you from the ground. Future generations beg of you to save them from death, disgrace, in-

justice, and bigotry. Let your minds not be prejudiced by the fact that this most tragic libel against the Jews has been deeply inculcated in the minds of the Christian world for more than nineteen centuries. Let not the length of time during which this unjust libel has been recognized as the "Gospel truth" bias your opinion. I am convinced that your minds are open to justice and logic. I am certain that you will not trifle with the lives of millions of innocent people, and that you will not be swayed by the stubborn blindness of the Church. Let not the notion that the testimony of the witnesses is divinely inspired make you deviate from the just and rightful course.

Ladies and gentlemen of the jury, I challenge the Prosecution to refute what has been proven to you during the course of this trial. History cannot be disproven; logic cannot be denied by legends and wild surmises. I ask you to seek facts and facts alone.

Then, ladies and gentlemen of the jury, I know that you will find the Defendants not guilty. Then you will exonerate the whole Jewish people, and in so doing, you will not only spare millions of innocent lives, but save Christianity as well. For no church or doctrine can long survive nourished by the misery and torment of any race or people. Is not the Nazarene quoted as saying (Matthew XXVI : 52): "For all they that take the sword shall perish with the sword"?

Ladies and gentlemen of the jury, I ask you, how can the representatives of the Church even claim to be the true followers of the Nazarene and his doctrines, when they use him as a means of committing the heinous crimes of murder and unjust hatred against his compatriots? How can Christians claim to be merciful and just, or even hope to become so, when they start out with a prejudice so deeply ingrained against a weak minority of their fellow-men, a prejudice which leads inevitably to destruction and murder? The false accusation against the Jew, which the Church indoctrinates in the tender minds of the Christian children, results first in injustices—exclusion from certain social circles and houses of learning, exclusion from equal jobs and professions, and finally

in physical cruelty, in cold-blooded murders and pogroms. Hitler and all other wholesale butchers of our own day and of the days gone by would have been absolutely impossible if they had not derived their racial and religious hatred from the very fountain-head of Christianity itself.

Thus, ladies and gentlemen of the jury, you must save the lives and honor of the Jew, lest your own civilization and religion perish. Nineteen centuries of Christianity have passed; but the Christian teachings of brotherly love and good will to all men have been smothered by the same Christian teachings of hatred and fanatical vengeance. Today Christians are further away than ever from being ready for the Messianic era preached by the Nazarene. The kingdom of heaven upon earth cannot be built on a foundation of hatred, of man's inhumanity to man.

Let not the Christian Church imagine that they can localize this hatred to the Jew alone. Unlike other contagious diseases, hatred cannot be fenced in and quarantined. If Christians are given a license and even encouraged by the representatives of the Church to hate the Jew, they will learn to hate indiscriminately: to hate the members of a different race; to hate the followers of a different religion; to hate the people of a different color; to hate even Christians of a different denomination; to hate the citizens of a different nationality or nation. And have we not already seen this hatred seep down from generation to generation through the long nineteen centuries of Christian domination? Was this the salvation which the Nazarene was to have brought to suffering mankind? Was this to be his "kingdom of heaven" upon earth? Or, is this rather the fulfillment of that inhumanly cruel author of the Gospels who attributed prophecies of bloodshed and division to the Nazarene? That author quotes the Nazarene as having said (Matthew X : 34): "Think not that I am come to send peace on earth: I came not to send peace, but a sword." And again the Nazarene is quoted as having said (Luke XII : 51): "Suppose ye that I am come to give peace on earth? I tell you, Nay; but rather division."

Yes, each and every word of these prophecies has been fulfilled.

Ladies and gentlemen of the jury, the weary eyes of the world are watching and waiting for your decision. In a larger sense, it is not the Jew but the Christian who stands trial in this Court today. Tired with destruction, hatred, and persecution, the aroused peoples of the earth are calling upon you to put an end to this unleashed fury of vengeance which has set Christians against Jews, Christians against Mohammedans, Christians against Hindus, and Christians against Christians in every corner of the earth. War, which has carried the sword to the villages of Europe and Africa and Asia, and across the oceans, feeds on hate and will devour even you, your Church and your words of peace. If you fail now to eradicate the source of this evil, the injustice perpetrated by Christianity against the Jew, Christianity will surely vanish from the face of the earth.

Ladies and gentlemen of the jury, I demand in the name of justice and the tenets of all religions, that the representatives of the Church openly admit and proclaim henceforth in all houses of worship and in their parochial schools, that the Jews are innocent, and begin now to right the deadly wrong which they have committed against the Jews. Let them cease inciting their followers against the Jew with their Passion Plays before the approach of Easter. I demand in the name of justice, that they revise those chapters in the Four Gospels that tell of the trial of the Nazarene, and delete from the New Testament texts all accusations against the Jews, and thus forever exonerate the Jewish people of a crime they never committed.

I demand these things, ladies and gentlemen of the jury, not only in the name of the defendants, Jewry, but in the name of all that is decent in Christianity, in the name of the conscience of mankind.

I AM CERTAIN OF AN ACQUITTAL BY YOU

Ladies and gentlemen of the jury, I am convinced that you will be brave enough, after having weighed the irrefut-

able evidence adduced by the defendants in this case, to render a verdict of innocence in favor of the unfortunate victims, and thereby open the eyes of the representatives of the Church to the truth which they have hitherto refused to see. Bring in a verdict of innocence in favor of the Jew so that he may no longer be subjected to indescribable misery, suffering, and humiliation. Be fearless in your judgment, and bring in a verdict of innocence, so that justice, honesty, and tolerance may not perish from the face of the earth. Thank you.

The Court: Mr. Christiani, you may now sum up for the Prosecution, if you are ready.

Mr. Christiani: The Prosecution is ready, Your Honor.

Summation by Prosecution

MR. PABLO CHRISTIANI (summing up for the Prosecution): If it please the Court and the ladies and gentlemen of the jury:

THE JEWS HAVE MADE ATTEMPTS

I fully agree with Counsel for the Defense that the case before you is unique both in its character and scope. There has been no case like it in the annals of human history. The parties involved are deities, Apostles, Popes, nations, races, and religions. The witnesses who testified to the guilt of the Defendants are not ordinary human beings. They have been recognized by numberless millions of people, among them the most learned thinkers and theologians, princes and common men and women of all lands, as divinely inspired saints. Three of them had the great distinction and privilege of being among the Twelve disciples chosen by our lord Jesus himself, appointed to be his Apostles to teach the Gospel to the whole world.

Now, ladies and gentlemen of the jury, it was contended by Counsel that the Jews were not permitted to file a defense, that fearing reprisals under the heels of Christendom, they dared not deny or refute the statements embodied in the Gospels, but bore their suffering in silence. This, however, is not entirely true. The Jews did at various times attempt to refute the charges against them. An anonymous book written in Hebrew, bearing the title "Toldot Yishu ha-Notzri," (Biography of Jesus Christ), appeared some centuries ago, and since then there have been other works written by Jews in different languages.

None of these authors, however, filed a serious defense, but either made sport of the whole affair, like the author of "Toldot Yishu," or served as apologists, attempting to convince the Christian world that the Sanhedrin at Jerusalem

did not violate any rules of procedure or law in conducting their trial against our lord Jesus. These apologists, like Salvador and others, contended that, in accordance with the principles of Jewish law, Jesus was justly convicted of the capital offense of blasphemy. There were others who condemned the method of trial adopted by the Sanhedrin, contending that the members of the Sanhedrin at that time were mostly priests belonging to the Sadducean sect. This was the opinion of such authors as Chwolson, Klausner, and others. But there was none who attempted a systematic defense of the indicted Jews.

THE GOSPELS MUST BE EXAMINED WITH OUR HEARTS

I wish to lay stress upon this fact, ladies and gentlemen of the jury, that we must not and we cannot examine the Gospels as if they were ordinary profane books. Other books are examined with our brain, with our reasoning, with our faulty understandings, but not so the Gospels. When we examine these holy books, we must examine them with our hearts, with implicit faith, with the conviction that these documents contain divinely inspired messages to everlasting eternity.

If, therefore, any of us has the impression that he can discover many damaging, contradictory statements, that impression should be corrected at once. The divine messages of our lord Jesus are not subject to contradiction; neither can they be self-contradictory. There can be no incongruities in the Gospels, although, of course, there may be many seeming contradictions. That is because we, with our limited, corrupt, human understanding, are apt to see contradictions where in reality there is perfect harmony. The pure sun of faith dims the weak candle of reason almost to extinction. By candlelight we see only vague shadows and imagined, unreal shapes, and these, of course, may be lacking in reality. But in the brilliant sunlight of faith, we discover a much higher and deeper truth. So it is with these divine Gospels. Only he fails to understand them who is without faith and therefore without light. They are as blind men wandering in

darkness unable to find their path. It is not the path which has strayed but the blind men, for they are without the light of our lord, Jesus Christ.

Ladies and gentlemen of the jury, it is pure heresy to contend that the Evangelists invented accounts, misinterpreted the text of the Holy Writ, in order to deceive the world. False, insincere dogmas would not and could not have taken such deep root in the hearts of so many millions of men for nineteen hundred years. Lies would have been detected long ago by many learned Christians, who studied the texts with infinite love and patience, treasuring the meaning of each word, each phrase, each sentence, and each verse. No, not lies but pearls of truth and divine wisdom did they find: they found the Word of our lord, the crucified Jesus Christ. They found that Word because faith was in their hearts, and the Word was revealed to them.

Is there any wonder that there should be some men so corrupt, their hearts so hardened with sin, that even these divine Gospels seem sinful and false? Do we not see every day simple ordinary phenomena of nature, hear them with our ears, touch them with our hands, and yet we know not what they are? Our pitiful science and our logic, our earth-bound senses are staggered by even the simplest mysteries of the universe. Can reason or logic create even the lowliest living thing—a mere insect, a bacterium, a living cell? And yet, there are men who would dare apply this so-called science, this earth-bound reason, to the everlasting mystery of the divine Trinity, to the Word and the Testament of our lord. Against the Rock of the Church, these false weapons cannot but be shattered into fragments.

THE GOSPELS AGREE UPON ONE FACT

Despite all the seeming discrepancies and incongruities that have been pointed out to you by the Defense, ladies and gentlemen of the jury, it is impossible to deny the fundamental fact upon which our accusation against the Jew is based. All the witnesses for the Prosecution have testified that the Sanhedrists conspired against our lord, made every at-

tempt to trump up a charge against him, and finally convicted him by means of a farcical trial in their court, on their holy night of Passover.⁵¹

We heartily agree, ladies and gentlemen of the jury, that the Sanhedrists rode roughshod over every conceivable, established rule of law and procedure when they tried our lord. Of course, they did.

Neither can there be any doubt that the vacillating, superstitious Roman Procurator, that coward, Lucius Pontius Pilate, is not altogether free from blame. He, too, is to be condemned for his indecision and light-mindedness in conducting the trial of our lord. But, ladies and gentlemen of the jury, he at least cannot be condemned for the crime of being malicious and revengeful. However feebly, he took pity on our lord and would have set him free but for the blind fury, hatred and envy of the Jewish hierarchy. It was the Jewish Sanhedrists who savagely brought our lord to torture and death. All night and almost all day they spent in courts, in the streets of Jerusalem, neglecting the services in the Temple, not tasting food or drink, nor would they return to their homes until they had actually seen with their own eyes our lord's bleeding body hanging from the cross.

These facts, ladies and gentlemen of the jury, stand uncontradicted. All the saintly witnesses agree about this fundamental fact. No matter how much they may seem to disagree about unimportant details, there is not even an apparent disagreement about this main and central issue. Without exception they all testified that our lord was crucified at the insistent demands of the Jews and their leaders. All agreed that the Jewish leaders, in their blind hatred, incited the Jewish mob to ask Pilate to release Barabbas, a base criminal, and to crucify our lord Jesus Christ.

THE JEWS WERE PUNISHED BY GOD

Ladies and gentlemen of the jury, it was for this very reason that our lord told Pontius Pilate (John XIX : 11): "He that hath delivered me unto thee hath the greater sin." They, the Jewish leaders who delivered our lord, and in-

sisted with rage and fury that he be crucified, of course had the greater sin, the graver responsibility for the heinous crime committed.

Why philosophize? why rationalize? why look for expert opinion? why seek extraneous matters? We have before us the Holy New Testament of our lord Jesus. These holy documents have been accepted by countless generations as authentic and incontrovertible. We are in possession of the most reliable evidence that has ever been produced in any court of law. We cannot disregard the statements made by the Evangelists, ladies and gentlemen of the jury. We must accept them in their entirety according to the dictates of our Christian religion and our Church.

Christendom is not maliciously revengeful, ladies and gentlemen of the jury. Our Popes, our Bishops, our saints, our clergy, and our men of God are not murderers. They have never shed innocent blood, as has been charged by Counsel for the Defense. They have merely carried out the inexorable will of the Father whose Son was unjustly crucified. The representatives of our Church were not the only ones to consider the Jews the real murderers of our lord Jesus Christ. Our Father in Heaven, too, considered them as such. Did he not soon after this most shameful crucifixion, cause their Temple to be reduced to ashes by the enemy? Did He not chase them out of their land, the land of Israel, and scatter them to the four corners of the earth? Has He not since deprived them of the gifts of prophecy that they had enjoyed before their despicable crime? Did He not thereafter remove His favor from them and disown them? Almost nineteen centuries have passed, and as yet there are no signs of redemption for them. They are still shunned and hated, and relentlessly persecuted. What reason can be advanced for this except that the Jews have lost favor with their God for having rejected and killed His Son?

THE JEWS BROUGHT IT UPON THEMSELVES

The Counselor for the Defense, ladies and gentlemen of the jury, has repeatedly insisted, that the children and the

children's children of a criminal should not be held responsible for the acts of their forebears. We agree. But this was not the decision of the Prosecution. It was not the Church which decided to hold all the Jews of all ages responsible for the misdeeds of their Sanhedrists. It was their own forefathers who chose and vowed to incriminate their children. Did they not expressly say to Pilate, when he was yet undecided about the fate of our lord Jesus Christ, according to the most reliable testimony of St. Matthew (XXVII : 25): "His blood be on us, and on our children"? And did not this rash vow cause Pilate to execute their vicious demand? Let the Jews who were the authors of the curse try to absolve themselves of it. It is their curse and not ours.

THE GOSPELS MUST REMAIN INTACT

The Counsel's demand, ladies and gentlemen of the jury, that we profane the Word of God by expurgating the Gospels to exonerate the Defendants of their crime, is absurd and insulting. To expunge one word of the Holy Writ is to deny the truth and validity of all. No, ladies and gentlemen of the jury, on the contrary, we shall carry this Holy Word to every forgotten corner of the earth so that all men may know and believe the word of our lord.

Ladies and gentlemen of the jury, a verdict for the Defendants in this case would be a verdict against Christianity itself, a repetition of the accursed verdict against our lord almost two thousand years ago. Such a verdict would be tantamount to a declaration of war upon our faith. You would be branded by devout Christians as the destroyers of Christianity.

IT IS YOUR DUTY TO CONVICT

Ladies and gentlemen of the jury, in your hands lies the fate of our cherished religion, the consolation of our lives, the hope of our future. You cannot absolve the Defendants without eradicating our very Gospels, the foundation of our faith. If you decide to do that, everything that is beautiful

in our lives, everything that we live for and struggle for during our miserable span of life on this earth is gone. Empty will be the lives of the Christian world.

I appeal to you, ladies and gentlemen of the jury, to disregard the findings of the experts, the heretical philosophers who put logic above faith, and stand firm by the tenets of our noble Christian religion. Let the guilty ones be punished and suffer, but let not one word of our Holy Writ, the Four Gospels, be expunged. You must bring in a verdict of guilty against the Defendants, because they have been proven guilty beyond any shadow of doubt. You must find them guilty as charged of murder in the first degree, of the premeditated murder of our lord Jesus Christ, I am certain you will bring in a verdict of guilt so that Christianity may endure.

The Judge's Charge to the Jury

LADIES AND gentlemen of the jury, on your shoulders rests the grave responsibility of weighing the evidence and of reaching a decision in the most important trial in all history. You have shown by your patience and interest in following the arguments of the Defense and of the Prosecution that you are determined to reach a just, honest, and well-considered verdict.

Your task is, no doubt a difficult one, for the facts are not easy to analyze. You have before you the testimony of four witnesses for the Prosecution, as contained in the documents known as the Four Gospels. These witnesses accuse the Defendants, the Jewish people, of the wilful premeditated murder of their lord Jesus Christ. This accusation, or written indictment, has never before been lodged in any court of law, and more than nineteen hundred years have passed without any trial being held or any verdict given.

During these many centuries, ladies and gentlemen of the jury, as has been proven by the Defense and not denied by the Prosecution, Christendom considered the accusations made in the Four Gospels as incontrovertibly valid. Unilaterally deciding that the Jews were guilty of murder, they took the law in their own hands, and inflicted unceasing punishment upon the Jewish people. They were themselves the judges and the executioners. As a result, uncounted thousands of people suffered torture, humiliation, and death at the hands of the Prosecution.

The Prosecution has claimed justification for these actions on the ground that the Jews, after the crucifixion of Jesus, lost favor with God, became accursed outcasts, and therefore merited the brutal treatment they received at the hands of the Christians. The Counsel for the Prosecution likewise contended that the forefathers of the Jews vouched to Pontius Pilate, the Roman Procurator who sent Jesus to

his crucifixion, that they and their succeeding generations would bear the guilt of having shed the innocent blood of Jesus Christ. Hence, the Prosecution argued, the followers of Jesus were fully justified in holding the Jews of all generations to this commitment of their ancestors.

Now, ladies and gentlemen of the jury, let me define for you the rules of law by which you must be guided in deciding the facts before you. The evidence adduced by the Prosecution, embodied in the Four Gospels, is in law favored with the presumption of genuineness and accuracy. The rule of law is well established in our courts: "The law presumes to be genuine, ancient documents shown to have come from proper custody and upon whose face no evidence of forgery appears. Whoever attacks them must prove their invalidity."

The Attorney for the Defense challenged the validity of these documents on the ground of their internal inconsistencies and contradictions, and by means of uncontradicted and unrefuted expert testimony. It is up to you, ladies and gentlemen of the jury, to decide whether the Defense has succeeded in proving the testimony of the Evangelists invalid. You must carefully weigh the evidence submitted by the Defense and decide whether it is sufficient to create reasonable doubt concerning the veracity of the witnesses for the Prosecution.

The law requires that the Prosecution, in every instance, prove its case against the Defendants beyond a reasonable doubt. The *onus probandi*, the burden of proving its case, lies upon the Prosecution. The law does not require the Defendant to prove his innocence beyond a reasonable doubt, but reasonable doubt as to innocence or guilt of the Defendant must redound to the benefit of the Defendant. If, therefore, you find that the Defense has succeeded in raising a reasonable doubt as to the Defendants' guilt, you must find them not guilty and exonerate them of all charges made by the Prosecution. If, on the other hand, the Defense has not succeeded in creating such a reasonable doubt, you must bring in a verdict of guilty as charged, of murder in the first degree.

However, ladies and gentlemen of the jury, I must caution you, that in weighing the evidence adduced in this case, you must be swayed neither by preconceptions and prejudices, nor by compassion. Religious awe and reverence, no matter how deeply imbedded, must not be permitted to affect your decision. You must not be swayed by the fact that the truth of the Gospels has been acknowledged by millions for centuries. Popular belief, however widespread, does not constitute verification of fact in a court of law. You must weigh only the facts, and let the facts decide.

On the other hand, ladies and gentlemen of the jury, you must not be carried away by compassion and by the great numbers of people involved in this case. Neither must you take into account the fact that the Defendants in this case have already paid with their blood, honor, and property, although not proven guilty in any court of law. It is your duty to weigh the evidence adduced in this Court during the present trial, with open minds, unaffected by either past injustices, or past prejudices. Your decision must be based upon facts and facts only.

If you find the Defendants guilty as charged, you must bring in a verdict of guilty. If, on the other hand, you find the Defendants not guilty, you must be brave enough to bring in a verdict of not guilty and exonerate them, even if that verdict may tend to cast aspersions upon the characters of the most saintly men in the history of the Christian Church. Justice must disregard persons. You must follow the dictates of justice only, and reject all consideration of personalities and dogmas.

Deliberate and ponder with the utmost care. Examine minutely every portion of testimony and weigh it carefully. Consider the grave responsibility resting on you, and be not hasty in judgment. I now leave the case in your hands, and I am convinced that you will scrupulously follow these instructions of the Court.

REQUESTS BY DEFENSE TO CHARGE JURY

Mr. Ben Yehudah: Your Honor, may I respectfully ask the Court to charge the jury as follows:

Any evidence produced by the Defense, whether concerning inconsistencies, contradictions or discrepancies, which were not contradicted or disproved by the Prosecution, must be considered by the jury as an admitted, indisputable fact. All expert testimony given in behalf of the Defense, not controverted by the Prosecution, must be considered as unimpeachable and as accepted opinions by the jury.

The Court: I so charge.

Mr. Ben Yehudah: I respectfully ask the Court to charge the jury, that religious convictions, no matter how long or how widely prevalent, may not be accepted as evidence by a jury in a court of law. The jury must not be swayed by the claim, repeatedly made by the Prosecution, that the testimony of its witnesses was divinely inspired. There is no inspired evidence in a court of law, and all evidence, whatever its source, is subject to critical examination and may, if possible, be proven untrue. No conviction can be obtained in a court of law on the strength of a contention that certain evidence has been divinely inspired. Neither may the jury accept any evidence which is not in conformity with human experience.

The Court: The jury is so charged.

Mr. Christiani: I object to this charge, Your Honor.

The Court: Your objection is overruled, sir.

Mr. Ben Yehudah: I further respectfully request the Court to charge the jury, that if it finds that the Jewish court of law at Jerusalem was instrumental in bringing about the crucifixion of the Nazarene, such guilt cannot be extended to the Jews of all generations. As a matter of law, guilt cannot be inherited by the children of the guilty. Even if the testimony given by St. Matthew were true that the Jews declared to the Roman procurator (Matthew XXVII : 25): "His blood be on us, and on our children," that avowal could not be legally binding on the children who took no part in

the commission of the crime either directly or indirectly. No person can transfer his guilt to another or include his posterity in the punishment. I therefore request the Court to charge the jury to bring in a verdict of not guilty for the Jewish people of all ages and all generations other than those directly concerned in the trial of the Nazarene.

The Court: I so charge. I also direct the jury that not even the entire nation living at the time of the Nazarene may be held guilty unless the jury is satisfied that it has been proven, by the Prosecution, beyond a reasonable doubt that the members of the Great Sanhedrin of that time acted in behalf of the nation as a whole.

Mr. Christiani: I respectfully object to this charge by the Court. All Jews of all generations are implicated in this most disgraceful crime against our lord Jesus Christ, and not only the members of the Great Sanhedrin who found our lord guilty and delivered him to the Roman Procurator to be crucified.

The Court: Objection overruled.

Mr. Ben Yehudah: I also respectfully request the Court to charge the jury, that if it finds the members of the Great Sanhedrin not guilty of the charge, the Prosecution must be directed to remove from the Prosecution's literature all traces of this most tragic vilification. All statements, no matter where they may be found, tending to convince people that the Jews are to be condemned as "Christ killers," must be eradicated and expunged.

The Court: The jury is so charged.

Mr. Christiani: Your Honor, I strenuously object to this charge. No jury consisting of human beings can be clothed with the authority to expunge a single word from the Gospels of our lord. No court of law can make such a demand of a jury.

The Court: Your objection is overruled, sir.

Mr. Ben Yehudah: Finally, I respectfully request the Court to charge the jury, that as a matter of law, the Prosecution may not and cannot assume the role of being the executors of God's wrath against the Defendants and mete out

punishment to them under the pretense of carrying out the dictates of the Almighty and of His Son.

The Court: I so charge. Ladies and gentlemen of the Jury, you may now retire. I am sure that you will return with a verdict that will bring honor to this Court.

LADIES AND GENTLEMEN OF THE JURY,
WHAT IS YOUR VERDICT?

Notes and Comments

MATTHEW

1. According to the Synoptists, the trial and crucifixion took place on Friday, the first day of Passover, the 15th day of the month of Nisan, April 7, 30 c. e. According to John, however, the trial and crucifixion took place on Friday, the day before Passover, the 14th day of the month of Nisan, April 3, 33 c. e. (For explanations and discussions regarding this difference in dates, see pp. 373-4.)

2. It has been agreed by all commentators that Matthew is to be identified with "Levi" of Luke V : 27, and with "Levi the son of Alphaeus" of Mark II : 14. (See A. J. Maclean, "Hastings Dictionary of the Bible," art. "Matthew.")

3. Matthew IX : 9; Mark II : 14; Luke V : 27.

4. Passover, in Hebrew *pesah*, is derived in the Pentateuch (Ex. XII : 26-27) from the Hebrew word *posah*, "to pass over, to leap over." The Greek *pascha* is the Aramaic form of the word. It is a term used to designate a Festival still celebrated by the Jews to commemorate the departure of the Jews, under the leadership of Moses, from the land of Egypt.

Passover, or the Feast of Unleavened Bread, was the first of the three pilgrim festivals, when the Jews from all over the land had to come to Jerusalem, the Holy City, to be near the Temple of God. Before Passover, the Jews made the pilgrimage, so that they might fulfill the command of the Almighty and sacrifice and eat the paschal lamb in Jerusalem (Ex. XXXIV : 23; Deut. XVI : 5-7, 16-17).

5. Matthew X : 2-4.

6. For a full discussion regarding this term, see p. 329.

7. Joseph Caiaphas was the high priest between 18 and 35 c. e. (Josephus, "Antiquities" XVIII, ii, 2).

8. The other two Synoptists disagree with Matthew. Mark (XIV : 1) also speaks of the use of craft and design by the Jewish jurists in their attempt to kill the Nazarene, but he says nothing of a regular court session being convened for the purpose in the palace of the high priest. Luke (XXII : 2) speaks only of a plot by the scribes and the elders to kill Jesus, but he does not state that they used subtlety or craft; nor does he state that they had gathered for that purpose in the palace of Caiaphas. John (XI : 47—XII : 1) speaks of a plot to kill Jesus occurring six days be-

fore Passover and he makes no mention of subtlety or craft, nor does he state that the plot took place in the palace of the high priest.

9. Matthew and Mark speak of the "chief priests, scribes and elders" in describing the members of the Sanhedrin. Carr, remarking on these terms, says ("Matthew" XXVI : 3): "I. e., the Sanhedrin, the supreme council, legislative and administrative . . . The members were seventy-one in number, and consisted (1) of chief priests or heads of priestly 'courses'; (2) the scribes or lawyers; (3) the elders of the people, or heads of families, who were representatives of the laity."

The origin of this famous court is involved in much obscurity. The Jews, as a whole, ascribe its origin to the days of Moses. Others date its origin from the Babylonian captivity. Still others think that it was established when the Jewish polity was reorganized by the Maccabees. Ewald ("*Die Alterthuemer des Volkes Israel*," p. 193) favors the opinion that it was founded by Ezra, while Jost ("*Geschichte des Judenthums*," Vol. I, p. 124) inclines to the opinion that it was founded in the time of Simon the Maccabee.

10. A village about fifteen furlongs, stadia (about $1\frac{3}{8}$ miles) from Jerusalem (John XI : 18) on the road from Jericho to the Mount of Olives (Mark XI : 1; Luke XIX : 29). Here lived Lazarus and his two sisters Martha and Mary (John XI : 1), and it was the lodging place of the Nazarene when in Jerusalem (John XI : 11).

11. It would be extremely interesting to ascertain whether that benevolent woman likewise knew that Jesus would depart soon. If she did, and she purposely kept this precious ointment for Jesus' burial, as claimed by Matthew, then the woman Mary Magdalene, who had been possessed of seven devils (whatever that may mean), according to Mark (XVI : 9) and Luke (VIII : 2), rose to the stature of a prophetess! It is for this reason that McNeile ("Matthew" XXVI : 12) explains: "With the implied thought, 'though she does not know it.'" Gould ("Mark" XIV : 8) shares the same view: "Unconsciously, she has rendered to him, while still living, the honors of burial."

As for the prophet of Nazareth, who knew that he would be crucified and then rise again after three days and to whom all future secrets were revealed, he must also have known that after his crucifixion his devoted followers and worshipers, the two Marys, would have spices in readiness with which to anoint his body (Mark XVI : 1; Luke XXIII : 56; XXIV : 1). He

must have known, too, that according to the contrary report given by John (XIX : 39-40), his secret follower Nicodemus would bring about a hundred pounds of a mixture of myrrh and aloes, and that he, together with Joseph of Arimathaea, would enbalm his body after the crucifixion. Why, then, did he consider this extravagant anointing by the woman of such great importance that it deserved an everlasting universal appreciation?

12. In the Greek text, "amen." (See pp. 501-502 where the use of this expression is discussed.).

13. Iscariot is composed of two words. *Isb* (in Hebrew, "man," or "man of"), and Keriot, name of a town in the south of Judea. Judas was the only one of the chosen twelve Apostles that did not come from Galilee.

14. Neither Mark (XIV : 10-11) nor Luke (XXII : 3-5) states that Judas mentioned any consideration when he offered to betray his master. They expressly say that the chief priests offered to give him money only after he had revealed his willingness to betray Jesus. Nor do they mention the exact sum of money stipulated between the conspiring parties. John (chapter XIII) does not speak at all of this understanding between Judas and the chief priests. And it is most unlikely that this Evangelist would have omitted such a bargain had he known of it, for he showed a most bitter hatred toward Judas, and he even called him "thief" (John XII : 6).

Matthew omits the most essential facts regarding the betrayal agreement: the place of meeting, the time, and, most important of all, what Judas obligated himself to do under the terms of the contract. He makes vague and uncertain statements. The writer of this Gospel is apparently interested only in emphasizing that Judas' motive was solely mercenary and absurdly petty in selling his master for the paltry sum of thirty shekels of silver.

There is a strong probability that in this Christian fiction Judas is intended to personify the Jewish people.

This fictitious traitor is given a Hebrew name, Judas or Yehudah, the same as that of the land of Israel, Judea or Yehudah, and also the same as that of the people of Israel, the Judeans (of the land of Judah). While all the other Apostles of the chosen Twelve are made to change their Hebrew names into Greek, Judas alone is made to retain his Hebrew name to the end, designedly, to emphasize the similarity between his name, that of the land of Israel and of the Jewish people.

Aside from the fact that the Four Gospels are inconsistent and contradictory in relating the betrayal by Judas, it is most dif-

difficult to ascertain Judas' motive. After all, what really was Judas' motive in betraying his master? Christians must admit that if their lord Jesus Christ had chosen Judas as one of the Twelve Apostles, and gave him the trustworthy position of treasurer, Judas could not have been a common thief as claimed by St. John. Nor can Matthew's account be sustained that Judas' sole motive was mercenary, to earn thirty shekels of silver. What, then, was Judas' motive?

Modern Christian authors are puzzled by this question of motive. Gould, for instance, says ("Mark" XIV : 44): "The motives of Judas in this extraordinary treachery are difficult to understand. In judging of them, we have to remember that he was one of the twelve chosen by Jesus to be his most intimate companions, and we must not undervalue that choice by ascribing to Judas motives of such an irredeemable vileness as would make him an impossible companion for any decent person." Then this author, like many others, arrives at the conclusion: "It may be that he had for his purpose in this extraordinary move to force Jesus to assume the offensive against his enemies. This is, at least, vastly more probable than the mercenary motive hinted at in the Fourth Gospel." This apparently is the only illogical statement discovered by this learned author in the Four Gospels.

15. According to the Greek text, Matthew says that they "weighed unto him thirty pieces of silver," that is, "paid him" (Carr, "Matthew" XXVI : 15; and others). See Ex. XXIII : 16, and Jer. XXXII : 9, where such Hebrew idiom is employed. The Authorized Version, however, reads (Matthew XXVI : 15), "they covenanted with him for thirty pieces of silver." Thus the "actual payment" of the thirty shekels of the Greek version, was changed into a mere "covenant to pay." This was evidently purposely falsified by the translator in order to make the Matthean version conform with the Marcan text.

16. What opportunities did he seek, this trusted treasurer of the Nazarene? Did he seek evidence to fasten some sort of criminal charge against his master, or did he simply wish to disclose his hiding place? It is remarkable that it does not appear anywhere that Judas was even asked or that he offered to produce evidence against the Nazarene. If the Jewish authorities were so anxious to find evidence against Jesus, as told by the three Synoptists (Matthew XXVI : 59; Mark XIV : 55; Luke XI : 53-54), why did they not avail themselves of his knowledge (See Matthew, n. 121.)

17. Mark (XIV: 12) likewise states that the disciples broach-

ed the subject to the Nazarene as to where they should prepare to eat the passover. Both contradict Luke who states (XXII : 7-8) that Jesus himself sent Peter and John to a certain house but not at the suggestion of his disciples. John does not mention this incident at all.

18. See p. 352 for the definition of the expression "to eat the passover."

19. Salmond, like many other commentators, comments ("Mark" XIV: 21): "Words suggestive of a dread condemnation and an inexpressible doom."

This expression, uttered by the Nazarene, is difficult to explain. It would seem that he wished by a curse to awe the betrayer Judas into giving up his evil design.

20. In Greek, Rabbi. See pp. 438-9 where the use of this term is discussed.

21. This evasive and ambiguous reply, which may be interpreted as either an affirmation or a denial, is in all probability a corruption of the Hebrew expression, *ken dibbarto*, "thou hast spoken rightly, or well" (Ex. X : 29). The omission of the adverb *ken*, "rightly," "well," and the use of the verb alone, *dibbarto*, "thou hast said, or spoken," is nowhere else to be found in Hebrew literature as equivalent to an affirmation.

Dalman ("Words of Jesus," English Translation, pp. 309-312), however, maintains that where "thou hast said" appears in the Talmud, it is equivalent to "you are right" (quoting Tosefta Kelim, Baba Kamma I: 6). But this is an exceptional case where *amarto* is used in that sense, and not the general connotation of the expression. (See Mark, n. 131.)

McNeile ("Matthew" XXVI : 23) comments on the quotation ascribed to Jesus, "he that dippeth his hand with me in the dish, the same shall betray me": "This was purposely ambiguous; the betrayer was not revealed, for they had all dipped; had he been, the others would doubtless have tried to prevent the crime, which the Lord knew was according to his Father's plan (V. 24)." (See John, n. 89.)

It is remarkable how these Christian authors do not seem to remember other verses in the Gospels. Did not Jesus in the presence of all the disciples say to Judas Iscariot, in reply to his query, "thou hast said"? And did not this very author define this expression as "clearly an affirmative" (verse 25)?

Ah, but this author (*l. c.* verse 25) reconciles this incongruity. He says: "If the questions and answers were really uttered at the table, it must have been in whispers." Why "if"? Can a

Christian author doubt the divinely inspired statement of St. Matthew? And why "in whispers"? There was no danger of having the Father's plan thwarted by the disciples if we are to believe the Lucan narration (Luke XXII : 23-25) that the disciples, instead of making an attempt to prevent the crime, simply contended among themselves as to who of them would be the greatest, without even taking the trouble of asking their master who that vile betrayer would be.

Furthermore, McNeile ignored the explicit statement by St. John (John XIII : 26) that Jesus pointed out the betrayer to the disciple whom he loved and to St. Peter by giving Judas the sop after he had dipped it. Yet the disciples made no attempt to prevent the crime.

22. According to the Jewish religious law, the benediction should be pronounced over bread before starting to eat and not in the middle of the meal. (Mishnah, Berakot VI : 1). It is remarkable that Matthew and Peter, who were Jewish Apostles, were not familiar with this rule of law. They stated (Matthew XXVI : 21, 26; Mark XIV : 18, 22) that Jesus first ate and then pronounced the benediction over bread. The pagan Apostle, Luke, knew better, and he made the Nazarene take bread (Luke XXII, 14, 19), give thanks, break bread and then distribute it among his disciples, in conformity with the prescribed rule of law. (See Matthew, n. 143.)

23. Klausner ("Yishu ha-Notzri," p. 354) remarks: "It is impossible to state that the Nazarene would have said to his disciples to eat of his body and drink of his blood. The drinking of blood, even if it were meant symbolically, could only have aroused horror in the minds of the simple Galilean Jews."

The covenant between God and the Israelites was confirmed by the blood of animal sacrifices (Ex. XXIV : 8; Heb. IX : 18-20). But this new testament or covenant was confirmed with wine and bread symbolic of Jesus' blood and his body; hence, with human blood, with human sacrifice. This was apparently to be a new type of Moloch worship.

24. It is strange that even as regards such an important utterance by Jesus, the Evangelists disagree. Matthew quoted him as saying: "Which is shed for many for the remission of sin"; Peter had it (Mark XIV : 24): "Which is shed for many," omitting the essential phrase "for the remission of sin"; Luke had the Nazarene say (XXII : 20): "Which is shed for you," restricting the benefit only to those who were present; and John does not mention this supper at all.

25. See Matthew, n. 143.

26. A range of hills covered with olives, about half a mile east of Jerusalem.

27. From here begins a touching and heartbreaking description of an ordinary mortal, not exactly heroic, who is very much afraid to meet death.

The Nazarene, according to the Gospels, stated on several occasions (Matthew XVI : 21; XVII : 23; XX : 19; XXVI : 32; Mark VIII : 31; X : 34; Luke IX : 22; XVIII : 33), that three days after the crucifixion he would rise again in flesh and blood. Death, in this instance, being nothing more than a temporary transition from earthly to celestial existence, even if it were to be preceded by crucifixion, was hardly a terrifying prospect. No special courage or heroism was needed to face this three-day preparation for eternal godhood, especially when the martyr was conscious of his sonship and of his inevitable triumph. Why, then, one asks, was Jesus "grieved unto death"? why the "agony in Gethsemane"? But the Nazarene seems unaware of the prophecies which the later Apostles imputed to him, that by his death he would not only be elevated to the height of a deity but that he would also appease the wrath of his Father and save humanity everlastingly. He is unwilling to die, "exceeding sorrowful, even unto death."

Some commentators maintain that Jesus' deep sorrow and prayers were for the sins of men. This view originated with the patristic commentators. Modern Christian authors, however, reject this interpretation. Swete ("Mark" XIV : 34) says: "But the narrative does not encourage the view which prevails in many patristic commentaries, that the Lord's sorrow and prayers were only for the sins and woes of men. His human soul shrank from the cross." Plummer ("Mark" XIV : 36) comments: "The view that our Lord's agony was nothing but His sorrow for the sins of men is not found in the Gospels."

28. According to the Christians, Jesus was not human but a divinity, a living "Son of God." Now, the question is: does a deity have a soul? This expression "my soul," is a vexing problem for Christian theologians. Carr ("Matthew" XXVI : 38) says: "My soul. This is important as the one passage in which Jesus ascribes to himself a human soul." Is there also a "celestial soul"? If so, what is the difference between the two?

Plummer adds a touch of mysticism to this expression. He comments ("Mark" XIV : 34): "Mention of His soul is rare, and that fact may warn us not to be curious in attempting to pry into 'the Self-consciousness of Christ.' We know very little

about it." But Jesus never claimed to be divine. (See Matthew, n. 152.)

29. Thus speaks not a divinity.

30. It is inconceivable that a "Son of God," one of the three godheads, should look for human sympathy in the hour of suffering. How can a deity fear to be alone, or be in need of frail human beings to cheer him and watch with him for the enemy? (See Matthew, n. 150.)

31. Peter contradicts Matthew by stating (Mark XIV : 36) that Jesus' prayer was unconditional.

32. According to this Evangelist, Jesus' second prayer was not a mere repetition of his first; but Peter states (Mark XIV : 39): "And he spake the same words."

33. Matthew is in agreement with Peter (Mark XIV : 35-41) that the Nazarene left his disciples, prayed, and returned three times. Luke, however, reports (XXII : 40-46) that Jesus left his disciples, prayed, and returned but once.

34. Jesus, finding his disciples asleep again, does not awaken them, but urges them to sleep on and take their rest. This behavior of the disciples is entirely incomprehensible. The Nazarene had prophesied to them that he would be betrayed by one of them (verses 21, 25, *supra*). This betrayer had been among them the whole evening, and evidently had left during the meal or immediately thereafter. It was for this reason that the Nazarene had left Jerusalem in the dark of night and had gone to his retreat with his eleven remaining disciples. It should have occurred, then, to these disciples that Jesus' abrupt departure on so sacred a night boded evil.

That these disciples dreaded the officers sent by the authorities is obvious from the fact that they fled from the scene of arrest, leaving their master to his fate (verse 56, *infra*). Is it plausible, then, to say that they had any inkling at this time of the impending danger and yet fell asleep? On the contrary, if they had had any knowledge of what was going to happen, their later behavior shows that they would not have hesitated to flee the danger at once instead of risking arrest with their lord. Moreover, they had an excellent opportunity to sneak away while their master left them alone and went to pray.

35. The term "multitude" is a very poor choice, for it denotes a "rabble," and Husband ("The Prosecution of Jesus," p. 79) very aptly remarks: "But all three accounts of the synoptic Gospels must be regarded faulty in the statement that a 'multitude' came to the garden to make the arrest. The word which has been

translated multitude signifies properly a 'rabble' and not an organized force. A rabble is formed of its own volition, and without authorization. Hence it has no legal standing, and its members who endeavor to interfere with the liberty of any citizen are guilty of assault."

Gould ("Mark" XIV : 43) comments: "The apprehending force is shown by this word [crowd] to have been of the nature of a mob, an irregular and unorganized force." Both the Matthean and the Marcan versions are thus directly opposed to the Johanne version where it is stated (John XVIII : 3) that the arresting party consisted of a Roman detachment commanded by a chiliarch, together with the official attendants of the Sanhedrin. And Luke (XXII : 52) would have it that the force also included some of the judges of the Great Sanhedrin.

36. It is impossible to believe that the Jewish leaders would have sent a great multitude of officers armed with swords and with staves to make an arrest on Passover night. It was against the Jewish law to carry weapons during a national festival. (See Mark, n. 111.) The chief priests and the elders of the people would not have publicly desecrated a national festival in such a manner.

37. This is agreement with Mark (XIV : 43). But see Luke XXII : 52 and John XVIII : 3.

38. Mark, too, states (XIV : 44) that the token of a kiss was made by prior arrangements with the Jewish authorities. Luke (XXII : 47) makes no mention of such prior arrangements. According to the Matthean and Marcan texts, then, it is obvious that all Judas agreed to do was to point out the Nazarene. John (XVIII : 4-8), however, emphasizes the self-surrender of Jesus to his captors. (See Matthew, n. 166, and Mark, n. 114.)

39. See pp. 502-3 where it is proven that this form of salutation was not known to the Jews in the time of the Nazarene.

40. It is strange that the three Synoptists did not see fit to mention as John did (XVIII : 10), that the name of the hero was Simon Peter and give him the deserved credit. It is likewise remarkable that not Matthew, nor Peter, nor John gives Jesus credit for the miracle of healing the maimed servant, as reported by Luke (XXII : 51). What could have been their motive for omitting so glorious an exploit which would have demonstrated the greatness of their lord? Evidently they knew nothing about this legend!

41. This splendid quotation accredited by Matthew to the Nazarene is omitted by the other two Synoptists (Mark XIV :

47-48; Luke XXII : 50-51), and by John (XVIII: 10-11). In fact, Luke denies even the possibility of such a quotation by expressly stating (XXII: 36-38) that his master urged his disciples to prepare for armed resistance.

42. No such reference to the fulfilment of a prophecy is made in the other three Gospels (Mark XIV: 47-48; Luke XXII: 51-52; John XVIII : 10-12).

43. This statement, if it were actually made by the Nazarene, proves conclusively that the identification by Judas, with or without the kiss, was entirely unnecessary. The betraying kiss was evidently intended more for dramatic effect than for practical usefulness. (See Matthew, n. 162.)

44. Peter likewise states (Mark XIV : 50) that all the disciples forsook Jesus and fled. But neither the Lucan Gospel (XXII: 53-54), nor the Johannine Gospel (XVIII : 1-12) states that the disciples fled. They probably omitted this incident because it did not redound to the credit of the saintly disciples.

45. The emphasis is laid by Matthew on "all the council," in the Greek text, the *synedrion*. In his anxiety to accuse the Jews and their leaders, the writer of this Gospel wishes to make it understood that all members of the Great Sanhedrin were involved in the plot. Plummer ("Matthew" p. 381) comments: "Matthew's condensed account reads as if the whole Sanhedrin were guilty of the outrage." (See Matthew, n. 180.)

46. Peter, too, states (Mark XIV : 57-58) that the witnesses testified concerning Jesus' boast that he could destroy and rebuild the Temple, although Peter differs in regard to the actual wording of the testimony. But neither Luke (XXII : 54-74), nor John (XVIII : 13-24) mentions any such testimony at all.

47. It is remarkable that none of the other Evangelists mentions this adjuration by the high priest (Mark XIV : 60; Luke XXII : 70; John XVIII : 19). (See pp. 416-17, and 454-6 where it is conclusively proven that no such method of adjuring a witness was known in the Jewish system of jurisprudence.)

48. Now the Nazarene broke his silence, and he made an evasive reply to the question put to him by the President of the Sanhedrin. (See Matthew, n. 21.) He admitted that he was "the Christ, the Son of God." He humbly admitted to the members of the court that he was God's equal, or God's vice-gerent, so to speak. According to Peter (Mark XIV : 62), the Nazarene made an unequivocal reply, "I am," to the query made by the high priest. According to Luke (XXII : 67-68), Jesus made no such admission at all, but gave an answer so ambiguous that to this

day it has never been satisfactorily explained. (See Luke, n. 147.) John (XVIII : 13-14) knows nothing at all either of the question or of the answer.

49. It is remarkable that the Nazarene first admits that he is "the Son of God," and then calls himself again "the Son of man." (See pp. 365-7 for the definition of "the Son of God.")

50. This is an expression borrowed from Daniel VII : 13, where the *bar enosh*, son of man, is described as "coming in the clouds of heaven." (For a full explanation of the Daniel text, see pp. 497-9.)

51. Peter, too, puts himself on the porch now (Mark XIV : 68). However, Luke (XXII : 58) and John (XVIII : 25) insist that Peter remained in the palace and did not go out on the porch at all. In other words, they are telling Peter that he actually does not know where he was.

52. Peter himself likewise averred (Mark XIV : 68-69) that the second identification of him was made by a damsel on the porch. (See Mark, n. 28.) Luke differs with Matthew and with Peter himself, stating (Luke XXII : 58) that the second identification was made not by a damsel but by a man, and not on the porch but inside the palace, in the midst of the hall (verse 55). John (XVIII : 25) apparently does not know where the second identification was made, whether in the palace of Annas or that of Caiaphas (because to this very day, no Christian commentator has been able to ascertain definitely from the Johannine text whether the questioning of Jesus was done by Annas or Caiaphas, on account of the troublesome pluperfect employed in the Johannine text, XVIII : 24; (see Bernard and others *ad loc.*) However, this Evangelist definitely stated that the second identification was made neither by one damsel, as Matthew and Peter would have it, nor by one man, as Luke would have it, but by an unspecified number of people merely described as *they*. Some Christian theologians and commentators reluctantly admit that these Evangelists are not in harmony. For instance Bernard ("John" XVIII : 13) says: "But it is not possible to reconcile precisely all the evangelical accounts."

53. Only this Evangelist states that Peter corroborated his denial of the Nazarene with an oath. Peter himself states (Mark XIV : 70) that he simply "denied it again," that is, without an oath. Luke avers (XXII : 58) that Peter in his denial of Jesus the second time said: "Man, I am not." John likewise avers that Peter made no oath when he denied Jesus the second time, stating (John XVIII : 25) only that Peter "denied it, and said, I am not."

54. According to the statement of this Evangelist and Peter himself (Mark XIV : 70), the third identification of Peter was made by all those who stood around with him in the palace. He was probably discovered by his use of the Galilean dialect. The Galileans were unable to pronounce the gutturals, and they lisped, pronouncing "sh" like "th" (Carr, *ad loc.*). Luke (XXII : 59) and John (XVIII : 26), however, contradict Matthew and Mark, and they definitely aver that it was but one man who made the third identification.

55. Peter himself asserts, as Matthew does, that when making the third denial, he cursed and swore (Mark XIV : 71). Plummer ("Matthew," p. 383) and Allen "Matthew" XXVI : 73), and other commentators explain that Peter did not, as one would think, curse anybody. No, not that, but he simply invoked a curse upon himself if his denial were false; or, as Gould ("Mark" XIV : 71) puts it: "It does not denote vulgar swearing, but the imprecation of divine penalties on the person, if he does not speak the truth." Naturally, an ignorant fisherman of Galilee would not be guilty of "vulgar swearing" but of "divine imprecation."

Nevertheless, this explanation by no means either justifies Peter or mitigates his guilt. As Plummer remarks (*l. c.*): "Peter begins with a single lie. The next time he kept on repeating his lie. Finally he invokes a curse on himself if his denial is false, and he swears that it is true."

56. (See Expert Opinion, n. 24). No one possessing any intelligence would note time by the crowing of the cock, because cocks are apt to crow at various and uncertain hours (Summations, n. 13.) In Talmudic literature (Mishnah, Yoma I : 8; a. fr.), the term "cock-crowing" is used as a note of time, not the actual crowing of the cock. The account of the "cock-crowing" in the Gospels was evidently written by one who was unfamiliar with Talmudic expressions, and he ignorantly interpreted the Talmudic expression that the Jews, in the Temple and elsewhere, depended in indicating time upon the actual crowing of the cock. Farrar ("Luke" XXII : 34) explains: "That part of the dawn which is called cock-crow shall not be over," etc. This explanation, however, is not borne out by the Gospel texts, where it is stated that the cock actually crew (Matthew XXVI : 74; Mark XIV : 68, 72; Luke XXII : 60; John XVIII : 27).

57. The trial of the Nazarene by the Jewish Sanhedrists, as recorded in the first two Gospels, was very brief, and presumably did not last very long. At what time of the night the Naza-

rene was brought to the palace of the high priest after the arrest is nowhere stated. It is simply recorded that it took place after the Nazarene's Passover supper and after his short stay on the Mount of Olives and at Gethsemane. Judging from the brevity of the trial, the Sanhedrists must have rendered their decision of guilt at a very early hour in the morning. It would be of interest to know, then, what happened during the hours that elapsed between the rendition of the alleged sentence and daybreak. Where were the chief priests and the members of the Sanhedrin all this time? Did they remain awake all night at the palace where the trial was held?

58. The first impression one gets from the expression "to put him to death" is that here begins an independent narration, having no connection whatever with what has been told in the preceding chapter with reference to the trial held at night. From all indications, it would seem that the writer of this text begins an entirely new narration, with the prelude that the members of the Sanhedrin sought to kill the Nazarene, "to put him to death" without due process of law. For the expression "to put him to death" can by no means be construed to mean a legal execution. And this new narration is staged in exactly the same manner as the Jewish trial is staged in chapter XXVI, *supra*, with a prelude having the same import.

If this suggested interpretation of the texts in Matthew XXVII : 1, and in Mark XV : 1 is accepted, many hitherto unanswerable questions and problems disappear. It would do away, for example, with the objection raised by many learned authors that no offender could be tried twice for the same offense, first by the Jews and thereafter by the Romans, since this interpretation would dispense with the night trial by the Sanhedrin. It would explain, too, why Luke, the third Synoptist, gives no account at all of the night trial, because he knew only of this new narration where no night trial is recorded. It would also answer the eternal question why John failed to mention a trial by the Sanhedrists, recording only a few general questions by the high priest, because he, too, knew only of the account given in the new narration beginning at this point in the Matthean and Marcan Gospels.

In other words, it would seem from the narrative as written by both Matthew and Mark, that their references to the night trial by the Sanhedrin was a version of a tradition which found place in the Marcan Gospel only, later incorporated in the Mat-

thean Gospel, but was known neither to the Lucan nor to the Johannine Gospels. The writers of the latter Gospels knew only of the tradition beginning with Matthew XXVII and Mark XV, which records that all the Sanhedrists did was to form a plot against the Nazarene to bring about his death, and that they then dragged him before Pilate, the Roman Procurator.

59. Judea had been a province of Syria since C. E. 6, and was governed by a Roman Procurator, whose official residence was at Caesarea.

Lucius Pontius Pilate was the sixth procurator of Judea to be appointed by Rome. Appointed by Tiberius, he served from 26 C. E. to 36 C. E. He was *procurator Caesaris*, the procurator of Caesar. He was the deputy, or personal representative, of Tiberius Caesar in the province of Judea, and was personally responsible to him. He was *procurator cum potestate*, with civil, criminal, and military jurisdiction. He exercised the unlimited jurisdiction of military *imperium*. He was virtually an *imperator*; a king in his own domain, answerable only to his master Tiberius Caesar.

Like all other procurators, Pilate lived in the capital Caesarea, and only went to Jerusalem at the time of the great Festivals and especially during the Passover week to quell possible uprisings while large crowds were gathered there. He stationed his armed forces, during his stay at Jerusalem, at the Tower of Antonio.

In character Pilate appears to have been impolitic, cruel, and weak. On several occasions he had trampled on the religious feelings of the Jews, and suppressed their resistance with merciless cruelty (Josephus, "Antiquities," XIII, iii, 1-2; iv, 1-2; "Wars," II, ix, 2ff; Philo, "Del. ad Caium," 38; Schuerer, "History of the Jewish People," Vol. II, p. 187). His cruelty combined with profanation is alluded to in Luke (XIII : 1): "There were present at that season some that told him of the Galileans, whose blood Pilate had mingled with their sacrifices."

According to Rosadi ("Trial of Jesus," pp. 215-216), Pilate was a native of Seville, a Spanish city enjoying the right of Roman citizenship. His father Marcus Pontius, who upon the subjection of Spain through wars in which he served Agrippa against the Cantabrians, had "commanded the troops of renegades who turned their arms against their commanders in servitude, the Austrians"—obtained the *pilum* (javelin) as a mark of distinction, and from it the family took the name of "Pilate." The son joined Germanicus in the German campaigns, and "after the peace he came to Rome in pursuit of pleasure, and this pursuit did not bring him fair repute. But his regal marriage with Claudia, daughter

of Julia, Augustus' daughter, earned him the dignity of procurator of Judea."

In the year 35 or 36 C. E., Pilate was sent to Rome by Vitellius, at that time in command of Syria, on a charge of cruelty to the Samaritans. The death of Tiberius intervened and caused delay in Pilate's trial. According to Eusebius, "wearied with his misfortunes," he put himself to death.

60. Judas could not have made the statement imputed to him by this Evangelist, because there is no record, not even the slightest hint in any of the Four Gospels that he was instrumental in bringing about Jesus' conviction. He offered no testimony against him in any of the proceedings alleged to have been held in the various courts. His sole act—the identification of Jesus—was entirely unnecessary according to Jesus' own statement (Matthew XXVI : 55; Mark XIV : 49), nor was it true if we accept John's word (John XVIII : 4-5, 7-8) that Jesus surrendered himself. Even if Judas had offered evidence against Jesus, he would not have been able to bring about a conviction, because the Law of Moses is clear and emphatic (Num. XXXV : 30): "But one witness shall not testify against a person that he die"; and (Deut. XIX : 15): "One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth."

61. On the first day of Passover, Judas would not have dared to bring the money into the Temple and throw it down, because as was known to every Jew, this would have constituted a flagrant violation of the Festival laws.

62. Peter averred (Acts I : 18) that "falling headlong, he (Judas) burst asunder in the midst, and all his bowels gushed out." Matthew, however, contradicts Peter, and his account of Judas' suicide by hanging is made to conform with that of the death of Achitophel (II Sam, XVII : 23). So Plummer ("Matthew," p. 386): "Mt. account of Judas' suicide by hanging may come from the death of Achitophel."

The other two Synoptists (Mark XV : 1-2; Luke XXII : 71—XXIII : 1), and John (XVIII—XIX) make no mention of the incident recorded by Matthew of the repentance and confession of Judas and the harshness of the Jewish authorities. This again proves the theory that the author of this Gospel belonged to the circle of early Christians who violently hated the Jews and made every endeavor to present the Jewish chief priests and Sanhedrists as blood-thirsty tyrants. (See Matthew, n. 70.) The writer of the Matthean text wishes us to believe that whereas the corrupt

traitor Judas repented, the Jewish spiritual leaders were too vile to repent.

63. This "field of blood" is also mentioned by Peter in Acts (I : 19.) But there Peter stated that Judas himself had bought the field and not the Jewish leaders as related by Matthew.

64. See pp. 489-92 where it is proven that this Evangelist misquoted and misinterpreted the Biblical text.

65. These Evangelists, in their desire to conform with some Biblical texts, have Jesus keep silent (conforming with Isaiah LIII : 7); otherwise he is represented as being extremely voluble (Matthew XXVI : 52-56, 64; Mark XIV : 48-49, 62; Luke XXII : 52-53, XXIII : 28-31; John XVIII : 34, 36, 37; *et al.*)

66. It is difficult to explain why Pilate continued to hear the accusers and to question the prisoner, after the Nazarene expressly confessed to being guilty of treason by admitting that he claimed to be king of the Jews.

67. Neither the "marvelous" silence of Jesus nor the marveling of the Roman Procurator is mentioned either in Luke (XXIII : 2-4) or in John (XVIII : 29-33). It is surprising that they should have ignored such a marvelous incident.

68. See p. 342 where it is proven that no such custom existed.

69. "Barabbas" in the Aramaic signifies "the son of a father." Some texts read "Jesus Barabbas." A strange coincidence of names! Here we have before us a prisoner "Jesus the son of the Father," together with another prisoner named "Jesus the son of a father." And Pilate wants to know which Jesus to release.

70. Peter, too, states (Mark XV : 11) that the chief priests and the elders incited the people to urge Pilate to release Barabbas, but he does not state that they asked for the destruction of Jesus. "And to destroy Jesus" are the harsh words peculiar with Matthew only. This again bears out the contention that the author of this Gospel belonged to the circle of the first Christians who violently hated the Jews. (See Matthew, n. 62.) Neither Luke (XXIII : 13-25) nor John (XVIII : 38-40) report this vicious quotation.

It would be interesting to know when the Jewish leaders could have found time and opportunity to mingle with the rabble and persuade them to ask for the release of Barabbas. Pilate asked the question of the whole multitude (verse 17, *supra*), precisely because he wanted them to disregard and over-ride their leaders. Would he, then, have allowed the Jewish leaders to intervene—in the very judgement hall and in his own presence—and to defeat his very purpose?

71. Peter (Mark XV : 11-12) does not record this second

question by Pilate and the reply of the mob after the urging of the Jewish leaders.

72. This was the procedure ordered by the Almighty in the case of the *eglab aruphab* (Deut. XXI : 6-9). In the event a slain person be found in the field, no one knowing who was guilty of the murder, then they should measure from that spot to the cities that are round about, "and all the elders of that city, who are nearest unto the slain man, shall wash their hands over the heifer whose neck was broken in the valley. And they shall speak and say: 'Our hands have not shed this blood, neither have our eyes seen it. Forgive, O Lord, Thy people Israel, whom Thou hast redeemed, and suffer not innocent blood to remain in the midst of Thy people Israel.' And the blood shall be forgiven them." (See pp. 594-5 for a full criticism of the Matthean account.)

73. The writer of the Matthean Gospel, motivated by his intense hatred of the Jews, contrasts the timid, superstitious, and merciful tyrant, Pilate, with the blood-thirsty and merciless Jewish jurists. (See Summations, n. 25.)

74. When the Roman soldiers were about to lead the Nazarene to the place of execution, they removed his mock-regal attire. Had they marched with him in that regalia through the crowded streets of Jerusalem, they would have transformed their own private comedy into a flagrant violation of the Roman law.

75. Cyrene, a city in North Africa, opposite Greece, on the Mediterranean, between Alexandria and Carthage, capital of the ancient Pentapolis, now Tripoli.

76. It was the custom among the Romans to compel the condemned to bear his cross to the place of execution. (See pp. 474-5.)

77. It is agreed by all Christian authors that Matthew wrote his Gospel for the Jews. (Salmond, "Mark" XV : 42, and others.) Now, then, if there actually was a place near Jerusalem known as "Golgotha," it most assuredly must have been known to every inhabitant of Jerusalem. And if the writer of this Gospel "was" Matthew and he wrote for his contemporary compatriots, he would not have spoken of Golgotha as he did, "into a place called Golgotha." He would have said simply, "into Golgotha." This would go to prove that this Gospel was written by one who lived at a much later time and who was not familiar with the geography of Palestine. (See pp. 343-4 where it is proven that no place known as Golgotha existed near Jerusalem.)

78. The account given by all the Gospels, that two thieves were crucified together with Jesus, one on either hand, was undoubtedly invented by the early Christians to conform to the

words of Isaiah (LIII : 12). If this account is to be accepted as true, then one must assume that the Roman executioners, to make the affair more ridiculous and more disgraceful and insulting to the Jewish people, nailed the claimant to the Jewish throne to the cross between two thieves. Certainly no one can logically contend that the executioners did this in order to fulfill Isaiah's prophecy, or to please and pacify the Jews as the writers of the Gospels would have us believe was done by Pilate when he ordered the crucifixion in the first place (Matthew XXVII : 24; Mark XV : 15).

79. McNeile ("Matthew" XXVII : 39) remarks: "Jews again appear on the scene, with a malice like that shown in the trial before the Sanhedrin." There can be no doubt that this is the work of the early Christians, who make the Jews and their representatives follow Jesus with malice and hatred through the trial before the Sanhedrin, the trial before Pilate, and now they show malice even when the victim is already nailed to the cross. What a clumsy slander!

80. This quotation is borrowed from the famous so-called "Passion Chapter" (Psalms XXII : 8), in an obvious effort by the writer of this Gospel to lend Scriptural authority to his narrative. Neither Mark (V : 32) nor Luke (XXIII : 35) uses this form of rebuke and mockery. It is exclusive with Matthew. (See pp. 381-2 where it is proven that the Jewish leaders could not have used these blasphemous expressions.)

81. According to Matthew's account, darkness came upon the earth at twelve o'clock noon, obviously because that must have been the time when the Nazarene was nailed to the cross. He thus implicitly contradicts Peter who stated (Mark XV : 25) that Jesus was crucified at nine o'clock in the morning.

Allen ("Matthew" XXVII : 36) says: "Matthew seems to have wished to avoid Mark's difficult third hour." Does this learned Christian commentator wish to convey the thought that Mark's statement of fact was subject to difficulty and doubt? Does he wish to tell us that Matthew, not knowing the exact facts of his own accord and knowledge, saw that Mark's statement was difficult and incomprehensible, and therefore avoided it? But were not these Gospel writers supposed to record facts, and not mere assumptions and surmises? (See also John, n. 216.)

82. All modern commentators agree that this statement is incomprehensible, because Romans would not know anything about Elijah, and Jews would not mistake "eli" for "Elijah." (See Matthew, n. 281.) So, we must conclude that the statement is

untrue. However, McNeile ("Matthew" XXVII : 47) tries to justify the statement by saying: "They may have been Jewish on-lookers, whose reference was a mere jibe." But it is a strange rabble that spontaneously indulges in unison in such a farfetched jibe. And where had those Jews obtained the vinegar? Surely they did not take it from the Roman soldiers. Even Carr ("Matthew" XXVII : 47) admits: "The soldiers had brought a jar of posca (John XIX : 29), their usual drink, no doubt for their own refreshment, and would probably be unwilling to allow on-lookers to touch it." The question still remains unsolved: Who mistook "eli" for "Elijah," and who gave Jesus the vinegar to keep up his strength a little longer, on the chance that Elijah would come to rescue him before he died?

83. The first loud cry uttered by the Nazarene while nailed to the cross was made when in his despair he cried out, "Eli, eli," etc. (verse 46, *supra*). This time he just cried out with a loud voice, saying nothing. Was it simply an outcry of pain and suffering?

This Evangelist states that Jesus "yielded up his ghost"; while the other Evangelists say (Mark XV : 37; Luke XXIII : 46; John XIX : 30) "he gave up his ghost." They adopted the Biblical expression *vayigvab*, and he gave up his ghost, referring to Abraham's death (Gen. XXV : 8), Isaac's death (Gen. XXXV : 29), Jacob's death (Gen. XLIX : 33), *et al.* But, according to all Evangelists, Jesus in reality did not die; he just went to rest or to sleep for a period of less than three days. If such was the case, then he actually did not "give up his ghost," an expression connoting the separation of the soul from the body and its ascent to heaven. Jesus himself told Mary Magdalene when he appeared to her on the third day after the crucifixion (John XX : 17: "Touch me not; for I am not yet ascended to my Father." This statement can have no other meaning than, "I have not as yet ascended to heaven, and am still a resident of this planet." The term "he gave up his ghost" is therefore misapplied here. It proves again that the writers of the Gospels had little understanding of the Biblical expressions of which they made such liberal use.

84. See pp. 509-10 where it is proven that the term "saints" in the Matthean text was improperly used.

85. Magdalene—an inhabitant of Magdala, a town on the west shore of the lake of Galilee, three miles north of Tiberias. Mark (XVI : 9) and Luke (VIII : 9) say that the Nazarene cast seven devils out of her.

86. It is remarkable that the writer of this Gospel text prefers to designate these Apostles as "Zebedee's children," as though they were insignificant persons or characters, but they lived on the reputation of their father, the Galilean fisherman. (See also Matthew XX : 20, and XXVI : 37.) It is also strange that the mothers of the disciples had the courage to witness the crucifixion and face the authorities, while their "children" were afraid to come anywhere near the scene.

87. See Matthew, n. 290 where the expression "the next day that followed the day of preparation" is discussed.

There can be no doubt that according to all Gospel accounts Jesus was crucified on a Friday. But the question is: was that Friday the first day of Passover?

As the writer of the Matthean Gospel calls this Friday by its usual weekday name, "the day of preparation," and not by the most important appellation, "the first day of Passover," it is reasonable to assume that he agrees with John that the day of crucifixion was not the first day of Passover, but the day preceding the first day of Passover. This interpretation, however, would be at variance with this Evangelist's previous statements that it was the first day of unleavened bread (XXVI : 17), and that Jesus had sent his disciples to make ready to eat the passover (XXVI : 17-19) which they ate that evening (XXVI : 20-29).

88. As no other Evangelist mentions this incident, there can be no doubt that this story was a mere invention by the same circle of Christians who sought to heap guilt and disgrace upon the Jews and their leaders.

It is obvious that the writer of these verses in the Matthean Gospel was entirely unfamiliar with the Jewish religion and with Jewish life. A serious Christian author McNeile ("Matthew" XXVII : 62) admits: "The historicity of these verses is very questionable; the high priests and the Pharisees would not, on a Sabbath and a high festival, take such action." (See Matthew, n. 290.)

89. See Hastings, "Dictionary of the Bible," art "Jesus Christ," 16, 5, "Significance of Resurrection."

90. See pp. 480-1 and 497-9 for a full discussion of the term "son of man."

91. Matthew XIV : 3, 6; Luke IV : 3.

92. Luke VIII : 27-28.

93. Luke IV : 41.

94. Matthew VIII : 28-29. The Matthean Gospel does not

record that the Nazarene ever referred to himself as "the son of God."

95. Matthew XVI : 13-19; John XI : 27.

96. Commentators generally interpret Jesus' prophecy to mean that the crucifixion would also take place on the first day of Passover. McNeile ("Matthew" XXVI : 5), among others, says: "Jesus on the contrary had said (v. 2.) that it would be on the festival, and he was right."

97. Swete ("Mark" XIV : 1) says: "The day will thus according to the Synoptic reckoning, be Wednesday, Nisan 13." So McNeile ("Matthew" XXVI : 2) and Plummer ("Mark" XIV : 1).

98. Matthew XVI : 21; XVII : 22-23; XX : 17-19; John XI : 27.

99. John XVIII : 4.

100. Matthew XXVI : 37-46; Mark XIV : 34-42; Luke XXII : 41-44.

101. John XII : 6.

102. A Jew writing for Jews (Salmond, "Mark" XV : 42, and others) would not have introduced the high priest in this manner, "the high priest who was called Caiaphas," even if he wrote several decades after the time of Caiaphas. This would prove that the Matthean account was written many years after the time of the Nazarene. (See John, n. 143.)

103. McNeile ("Matthew" XXVI : 17), among others, calls it "a secret arrest and trial."

104. See Matthew, n. 174, and Mark, n. 30.

105. See pp. 398-401 where it is proven that it would have been impossible for the Jewish jurists to have planned the commission of murder.

106. Gould ("Mark" XIV : 9) says: "They feared an uprising of the people, whom they knew to be favorable to Jesus, especially the Galilean pilgrims." McNeile ("Matthew" XXVI : 5) remarks: "The tumult that they feared might arise between the Jews of the city and the pilgrims of the north, the latter holding Jesus to be a prophet, if not the Messiah."

107. This Evangelist and Mark (XIV : 2), and Luke (XXII : 2) state that the Jewish authorities decided to postpone the killing of the Nazarene until after the Feast of Passover because they feared the people. But what made them change their plan and hasten to arrest him on Passover-eve? Some commentators (Gould, "Mark" XIV : 2; and others) claim that the change was due to

the opportunity given them by the treachery of Judas Iscariot. But this explanation is untenable. True that Judas is alleged to have caused the arrest to be made in the dead of night when no people were apt to be around. But did not the Jewish authorities send Judas at the head of a "multitude" (Matthew XXVI : 47), or a "great multitude" (Mark XIV : 43), or a "multitude" headed by the "chief priests, and captains of the temple, and the elders" (Luke XXII : 47, 52), or a "cohort of men" and "the captain and officers of the Jews" (John XVIII : 3, 12)? Was not the tramping of a multitude of men, chief priests, elders, captains of the Temple, a Roman Cohort with their officers, all armed with swords and staves, sufficient to arouse the sleeping or half-awake populace of Jerusalem? Is it plausible to contend that the Jewish authorities changed their plans because they hoped by means of Judas' treachery to effect the arrest in secrecy, and yet they sent hundreds of men to arrest him? (See John, n. 18.)

McNeile ("Matthew" XXVI : 17) advances six reasons why the Johannine chronology is to be preferred to that of the Synoptics. The fourth of that is: "The Sanhedrin had determined to arrest Jesus before the festival, but according to the Synoptic chronology they arrested him on the festival."

108. If there is any coherence at all in this Gospel narration, it would appear that this anointing incident must have taken place within the two days before the Passover mentioned in verse 2. John (XII : 1 ff.) states that this incident occurred six days before the Passover.

109. John (XII : 1) claims that the anointing took place in the house of Lazarus.

110. John (XII : 3) records that the woman anointed Jesus' feet and not his head. (See John, n. 64.)

111. The argument advanced by the disciples against the wasteful extravagance of the woman were logical and reasonable. John (XII : 4-6) contends that Judas Iscariot alone complained of her extravagance, and this he did "not that he cared for the poor; but because he was a thief, and had the bag, and bare what was put therein." This saintly Apostle whom Jesus loved accuses his colleague of larcenous intentions. According to Matthew, however, all the disciples complained; can we, then, like John, attribute their complaint to the same larcenous motive?

112. McNeile ("Matthew" XXVI : 7) has this interpretation: "They did not express their indignation openly, but in their minds, or by whispers to each other."

113. Farrar ("Luke" XXIII : 39) remarks: "But though the

Evangelists sometimes seem to be on the very verge of mutual contradiction, no single instance of positive contradiction can be adduced from their independent pages. The reason of this is partly that they wrote the simple truth, and partly that they wrote under divine guidance." (See also "Encyclical Letter of Pope Leo XIII," Douay's Bible, 1944, "Inspiration Incompatible with Error"; and Matthew, n. 318.)

This statement will naturally be refuted in this treatise. It will be shown that there are "many" contradictions, and not only "one" "single instance of positive contradiction." We cannot, of course, dispute that "simple truths" and writing "under divine guidance" cannot involve contradictions and untruths. But by what means do the Christian authors and theologians intend to prove that the Evangelists wrote "simple truths" and "under divine guidance," if they are unable to reconcile all the discrepancies proven in this work?

114. McNeile ("Matthew" XXVI : 13) contends: "It is difficult to believe that the words came from the lips of Jesus. Not only does John omit them and Luke (probably) the whole incident, but the Lord's expectation of the immediate advent of the kingdom which in IV : 23, *is* the Gospel, forbids us to think He would speak of a world-wide preaching of the Gospel, even if *Kosmos* means the Roman world." Does this Christian author wish to accuse the writer of the Matthean Gospel of stating falsehoods and put words in Jesus' mouth which he never uttered?

115. John XVIII : 4.

116. See Matthew, n. 14.

117. It is the opinion of modern scholars that the Marcan Gospel is the oldest of the three Synoptic Gospels and was used by the other two, Matthew and Luke. This theory has been based on the statement of Papias (Eusebius, "Hist. Eccl." III : 39), an early second century authority (circa 130 c. E.), that Mark wrote down what he, in a rather disconnected way, heard from Peter, and that Matthew made a collection of the sayings of Jesus, the *logia*, in the Hebrew (Aramean) dialect without the historical framework.

118. Matthew XXVI : 48-49; Mark XIV : 44-45; Luke XXII : 47-48. But John (XVIII : 4-8) speaks of Jesus' self-surrender.

119. The value of thirty shekels of silver is 4 pounds: 16 s (McNeile, "Matthew" XXVI : 15), or twenty dollars (Gould, "Mark" XIV : 11). And Salmond ("Mark" XIV : 11) remarks: "A small sum truly, if it was the whole and not simply so much

paid down on the spot, to content any one, especially an avaricious man like Judas."

120. Matthew XII : 10, 14-16; XIX : 3-9; XXII : 15-21; XXVI : 59.

121. Bernard ("John" XIX : 11) remarks: "It is remarkable that it is not told anywhere that Judas bore witness to what Jesus had said or done. His part was finished when he identified Jesus at Gethsemane."

Plummer ("Matthew," p. 375) says: "It is certainly remarkable that Judas is nowhere said to have borne witness against Jesus at any of the trials before the Sanhedrin or Pilate or Herod. And he could have quoted utterances which could have told against Christ in a prejudiced court, e. g. his prediction of his coming again in his glory, and of the destruction of the Temple and of Jerusalem (Salmon, "Human Element," p. 502)."

It is astonishing how ignorant Christian authors are of Jewish jurisprudence. They fail to mention the real offenses with which the Nazarene could have been charged. They follow blindly the Four Gospels as their source of information, and it does not occur to them that those writers were ignorant of the law themselves. (See the opinion of the expert in Jewish jurisprudence, pp. 546-618.)

122. Ex. XII : 6; Lev. XXIII : 5; Num. XXVIII : 16.

It is admitted by Christian commentators that "the first day of the feast," etc. in the Matthean text XXVI : 17, should, according to the Greek version, read "on the first day of the feast," etc. (Carr, "Matthew," *a. l.* and others). Surely the disciples could not on the first day of Passover inquire of Jesus where he wished to prepare the eating of the paschal lamb.

123. See Mark, n. 45.

124. According to Mark (XIV : 12-15), prior arrangements were made with the host. (See Luke, n. 59.)

125. Ex. XII : 8.

126. Matthew XXVI : 21, 23.

127. Matthew XXI : 19; Mark XI : 13-14. Christian authors, in making an attempt to justify Jesus' cursing of the fig tree, offer the following explanation (Gould, "Mark" XI : 14): "The position of the words with the double negative make this curse weighty. The reason of it is to be found in the false pretense of leaves without fruit on a tree in which leaves are a sign of fruit. The apparent unreason is in cursing a tree for anything. The principle that you must not only judge a person by his acts, but sometimes judge his acts by the person, applies here. The act appears wanton and petulant, but what we know of Jesus warrants us in

setting aside this appearance. Jesus was on the eve of spiritual conflict with a nation whose prime and patent fault was hypocrisy or false pretence, and here he finds a tree guilty of the same thing. It gives him his opportunity, without hurting anybody, to sit in judgment on the fault."

This explanation is one of the finest examples of Christian sophistry. Why sit in judgment and curse an innocent fig tree, when he could have used his effective curses on the Jewish leaders who were alleged to be instrumental in the people's denying him? An opinion must not necessarily be expressed or illustrated by the act of cursing. Condemnation in words and phrases would suffice. Besides, it cannot be contended that the fig tree purposely displayed leaves in order to deceive the hungry Nazarene. The fig tree had no figs for the reason that "the time of figs was not yet" (Mark XI : 13). Why, then, did he vent his wrath on the poor tree, wrath that was intended at stubborn human beings? Is anger accompanied by cursing divine?

Furthermore, the entire thesis advanced by Christians is based on false, unproven premises. It has not been proven by the Church that the Jewish leaders were hypocritical, much less the Jewish nation as a whole. This characterization of the Pharisees is an invention of Christian prejudice and blind hatred, based on the unhistorical statements of the Gospel writers that Jesus called the Pharisees "hypocrites," "fools," "serpents," etc. (Matthew XXIII : 13-33).

Some serious authors are aware that this characterization of the Pharisees is contrary to historic facts. They know that history tells us that those Pharisees were extremely sincere, honest and pious teachers who were ready to sacrifice their lives for the sake of their religious convictions. They were the martyrs who fell under the cruel rule of Hadrian and others. Unable to find historical evidence against the Pharisees, these authors point out that even in the Talmud some of the Pharisees are branded as hypocrites (Sotah 22b): "King Alexander Jannaeus said to his wife: 'Fear neither the Pharisees nor the non-Pharisees, but the painted (the hypocrites) who resemble the Pharisees.'" But these were the exceptions and for that very reason they were condemned. We cannot, for instance, condemn all Popes because some of them, like Pope Innocent III, Pope Paul IV, Pope Pius V, Pope Gregory XIII, Pope Clement VIII, were bigoted and blood thirsty. Nor are we justified in condemning all Pharisees because the Talmud acknowledges that some of them were hypocrites. (See Matthew, n. 148.)

128. Matthew XXI : 12; Mark XI : 15; Luke XIX : 45;

John II : 14-15. The display of anger is a violation of the rules of Jewish ethics. The Talmud (Nedarim 22a) decrees: "Whosoever allows himself to be carried away by his wrath is subjected to all sorts of Gehena (Hell)." It is hard to believe that Jesus would so readily have violated this ethical rule.

129. Matthew (XXII : 13-33), reports that Jesus called the Jewish authorities "hypocrites," "fools" "serpents," etc.

130. See Matthew, n. 21.

131. Matthew XVI : 21; XVII : 23; XX : 19.

132. Matthew XXVI : 53-54.

133. See Matthew, n. 19.

134. Some Christian authors were perplexed by the paradoxes created by their Church. McNeile, for instance, says ("Matthew" XXVI : 24): "The paradox of divine determination and human responsibility here finds its most tragic expression . . . Judas was but an instrument, yet he acted voluntarily, and need not have done so." (See pp. 634-5, and Mark, n. 53.)

135. See Matthew, n. 21.

136. See Luke XXI : 21-24.

137. Mishnah, Berakot VI : 1. Even a Christian author admits that it was irregular. McNeile ("Matthew" XXVI : 26) says: "He blessed, or thanked God . . . It was probably an ordinary grace, but extraordinary in being uttered in the middle of the meal." (See p. 355.)

138. This is not true. No cup of wine was drunk during the meal of Passover-eve. According to Jewish ritual, four cups of wine were drunk, two before and two after the meal, and none during the meal.

139. Mark, too, states that only one cup of wine was drunk by the Nazarene and his disciples (Mark XIV : 23) and that it was during the meal. Luke, however, states (XXII : 17, 20) that Jesus and his disciples drank two cups of wine, the first one before the beginning of the meal over which the inauguration of the Festival was recited, and the second one after supper. It was the latter that was used as a symbol of his blood.

140. See pp. 356-8 where this theory of a New Testament is fully discussed.

141. Matthew V : 17-19.

142. According to Luke (XXII : 20-22), the Nazarene predicted his betrayal after supper, and not during the meal as Matthew (XXVI : 21) and Mark (XIV : 18) would have it, and Judas was still with him (Luke XXII : 21). John, too, states

that Judas Iscariot was included in his Father's kingdom.

143. Some Christian commentators contend that "wine" in the speech of Jesus does not refer to the juice of grapes, but, for instance, as McNeile would have it ("Matthew" XXVI : 29): "The wine that he would then drink would be 'of a new kind,' the 'fulfilment' of the wine that he now gave them." And the same author further remarks (*l. c.* 32): "The genuineness of the verse, however, is very doubtful. If anything can be gathered as to the expectations of Jesus concerning Himself, they were not those of a return to the old relations with his disciples, but of an advent as the super-human Messiah from heaven."

This contention is, however, untenable. There can be no doubt that the Gospel-writers referred to a kingdom in which there would be eating and drinking. Did not St. Luke explicitly quote Jesus as saying to his disciples (XXII : 30): "That ye may eat and drink at my table in my kingdom"? And it is for this reason that a learned Christian author wonders (Plummer, "Matthew," p. 365): "'Until that day I drink it new' in my Father's kingdom" is surprising. Will there be any eating or drinking in the kingdom?" (See Luke, n. 32.)

144. See pp. 486-7 where it is shown that this Biblical text is misquoted and misinterpreted. Even Christian authors are forced to admit the incorrectness of this quotation. Carr ("Matthew" XXVI : 31), for instance, remarks: "The words do not literally follow the Hebrew."

145. Luke (XXII : 34; 56-60) and John (XIII : 38; XVIII : 17, 25-27) agree with Matthew. Peter himself, however, states (Mark XIV : 30, 72) that Jesus mentioned two crowings of the cock.

146. Mark, too, records (XIV : 29-31) that all the disciples repeated Peter's avowal of loyalty to the Nazarene; not so Luke (XXII : 33), nor John (XIII : 37-38).

147. Matthew XVI : 20-21.

148. That godly being, saintly Messiah, Lord, Son of God, one of the three godheads, who was to save the entire world by remitting its sins, tried to escape his fate. He wished to frustrate his Father's design by fleeing to a mountain retreat, and by fervent prayers at Gethsemane. (See Matthew, n. 27.) Yet, they, whom this Messiah branded as hypocrites, liars, fools, vipers, and many other epithets unbecoming the lips of the "'Son of God'" (Matthew XXIII : 13-33)—such Pharisees, for instance, as Rabbi Hanina ben Tradyon, Rabbi Akiba, Rabbi Judah ben Baba, and

the like—gave their lives without protest to sanctify the name of their God and keep His Law. These “hypocrites” did not run away. They did not flinch, but calmly looked death in the face, although it was accompanied by indescribable horrors of torture such as could be invented only by the same Roman tyrants who crucified Jesus. These Jews openly defied the decree of the cruel Roman Emperor Hadrian, and taught the word of God to their many disciples, fearless of certain death. What a striking contrast! Yet to this day these martyrs are branded by the Church of Christ as “hypocritical seducers” (Wildermann’s Douay Edition of the Bible, “Introduction to Matthew.”) These Pharisees were the disciples of the members of the Sanhedrin who were described by the Evangelists as murderous tyrants. Disciples of lawless, godless, mean teachers cannot rise to such sublime heights. Now one wonders who really had the courage of conviction, the founder of the Christian faith, or the “hypocritical” members of the Pharisaic party!

149. See Matthew, n. 113.

150. Such is the interpretation of Christian commentators. Carr (“Matthew” XXVI : 38) remarks: “The Son of man in this dark hour asks for human sympathy.” Swete (“Mark” XIV : 34) says: “His human soul shrank from the cross, and the fact adds to our sense of the greatness of His Sacrifice.” But if Jesus also had a “godly soul” and not only a “human one,” why did not the “godly one” take care of the situation? McNeile (“Matthew” XXVI : 38) explains: “After the first moment of shock and distress the Lord sought human sympathy.”

151. According to Peter (Mark XIV : 36), Jesus’ prayer was unconditional.

152. John V : 17-22, 26. See pp. 427-30 where Jesus’ claim to equality with God is proven and discussed.

153. It would seem certain, however, that there are inconsistent dogmas in the Gospels with reference to Jesus’ status of divinity. At first Jesus was made to consider his Father as his superior. John (V : 30) quotes Jesus as saying: “I can of my own self do nothing . . . because I seek not mine own will, but the will of the Father which hath sent me.” He likewise laid down a principle that one “must love the Lord God with all thy heart,” etc. (Matthew XXII : 36-37; Mark XII : 29-30; Luke X : 25-28).

Matthew (XX : 20ff.) tells that the “mother of Zebedee’s children” asked of Jesus that her two sons, James and John, “may sit, the one on the right hand, and the other on the left, in thy

kingdom," Jesus replied (verse 23): "But to sit on my right hand, and on my left, is not mine to give, but it shall be given to them, for it is prepared of my Father." Jesus thus admitted that he was not invested with a power equalling the Father's and that he was unable to alter His will. (See Luke, n. 62.) John (XIV : 28) records that Jesus expressly told his disciples: "For my Father is greater than I am." Mark (XIII : 32) reports Jesus as saying that the son knows not the day and the hour, but the Father.

Even Christian authors admit that Jesus in his prayer admitted that the will of God was superior to his own. Gould, for instance, says ("Mark" XIV : 36): "But the condition is made now the will of God. This is Jesus' wish and prayer, to have the cup removed. But, after all, he knows that not his will, but that of his Father, will be carried out, and with that he is content."

Later on, the Christians were not satisfied with having Jesus' power inferior to that of his Father. Hence, they ascribed to him sayings and expressions which would signify his claim to equality with his Father. (See pp. 427-31.)

Plummer ("Mark" XIV : 36), to justify Jesus' submissiveness to his Father's will, goes to the extent of telling us that Jesus not only possessed a human soul (see Matthew, n. 28), but that he also had a "human will" which was inferior to his Father's will. This author says: "The petition is proof of the existence in Christ of a human will, distinct from, but always submissive to, the Father's will." This sort of theological hair splitting is extremely difficult to follow.

To sum it up: These Christian theologians would have us believe that Jesus contained in person a divine existence and an existence that possessed a human soul; he had a divine will equal to that of his Father, and a human will inferior to that of his Father; he was a man and a god at one and the same time.

154. Or, he could have created a different situation for himself whereby he would have been able to avoid the horrible agony of crucifixion. A Christian author, Prof. Thompson ("The Trial of Jesus," p. 161), says: "If he was equal with God, he could have easily called into action forces that would have delivered him from the slayers. He could have lifted up and spiritualized himself without having gone through the outer crucifixion and death on the cross."

That Jesus wished to avoid death by crucifixion, as is evidenced by his prayer at Gethsemane, is admitted by Christian commentators. McNeile, among others, says ("Matthew" XXVI : 39): "The human shrinking from the terrors which he had only

just realized in their fulness, made Him cling to the possibility that the Father might, after all, raise Him to His Glory by a miracle, without the suffering." And it is really surprising that the "merciful Father" was so cruel to His son that he insisted upon His son's going through a horrible inhuman ordeal.

155. See Mark, n. 78.

156. Peter, who was one of the three sleeping disciples, states (Mark XIV : 39) that the second prayer of the Nazarene was a repetition of the first, and not as stated by this witness that the second prayer was a mere submission to the will of God. Gould ("Mark" XIV : 39) curtly remarks: "Matthew changes the prayer here, making it one of submission." It is a mere trifle for an Apostle to be a dishonest reporter, to abandon his original source, the Marcan version, and to change Christ's prayer.

157. This is another one of those ambiguous, carelessly written texts.

158. Peter, too, states (Mark XIV : 35-41) that Jesus prayed only once.

159. See Mark, n. 86.

160. See Mark, n. 99. McNeile ("Matthew" XXVI : 17), among others, rejects the Synoptic chronology that Jesus' arrest was made on Passover-eve. One of the reasons advanced is that "no Jew would carry arms on a festival."

161. See Matthew, n. 107.

162. Gould ("Mark" XIV : 44) admits: "The need of this (concerted signal of a kiss) does not appear, as Jesus was a well-known figure." But, according to the text, Jesus evidently was not a "well-known figure."

McNeile justifies the necessity of the kiss. He says ("Matthew" XXVI : 48): "The sign was needed evidently because Jesus was unknown to the rabble; they were not among those who thronged the temple courts when He was preaching." This reasoning can not be sustained. In the first place, the sign of the kiss had been arranged, according to the Gospel-narratives, a few days before the arrest. How, then, could they at that time have known that the apprehending rabble would not be "among those who thronged the temple courts when He was preaching." Rabble is not selected or organized, but thrown together by mere chance. Secondly, the royal reception accorded Jesus upon entering Jerusalem, as recorded by the witnesses, was given by the rabble at large, and was not selected only of those who had listened to Jesus' teaching at the temple. Thirdly, according to Luke (XXII : 52), there were also "chief priests, captains of the temple, and elders" in

the apprehending party, and it was not confined to the common people only. Surely the captains of the Temple must have been present at some of Jesus' "lectures" supposed to have been delivered in the very Temple which was under their jurisdiction.

163. In fact, John (XVIII : 4-8) insists that Judas did not identify Jesus by means of a kiss, but that Jesus surrendered himself to his captors.

164. Matthew XVI : 21; XVII : 23; XX : 19; XXVI : 21-25.

165. See pp. 392-4 where this interpretation of the text is fully discussed.

166. Luke (XXII : 51) states that the Nazarene healed the servant whose ear was cut off.

167. One may perhaps argue that Jesus meant to say that his Father would send a legion of angels for each member of the group, consisting of eleven disciples and himself. But the other eleven members of the group were not involved in this matter at all, and therefore did not require heavenly aid; for they subsequently found safety in flight (verse 56, *infra*). And what Christian would dare say that Jesus had no foreknowledge of their flight?

It is remarkable, indeed, that this boastful statement alleged to have been made by Jesus, is not mentioned in the other Gospels (Mark XIV : 47-48; Luke XXII : 51-52; John XVIII : 10-12). Is it to be assumed, then, that the statement made by the writer of the Matthean Gospel is a mere invention, since the other three Evangelists have no knowledge of it? Even a Christian author, McNeile ("Matthew" XXVI : 53), referring to the Matthean statement imputed to Jesus, says: "The genuineness of the words which are confined to Matthew, must be considered doubtful."

168. According to the version of the Johannine Gospel, they sought on several occasions to kill Jesus. They sought to kill him because he profaned the Sabbath, and also because he made himself equal with God (John V : 16-18). Jesus stayed in Galilee, because he was afraid to "walk in Jewry, because the Jews sought to kill him" and he was afraid to go to Judea to celebrate the feast of Tabernacles (John VII : 1ff.). The Pharisees and the chief priests sent officers to take him (John VII : 32). Once they wanted to stone him while he was in the Temple, but he "hid himself, and went out of the temple" (John VIII : 59). Mark, too, records such an incident (III : 6-7). They wanted to apprehend him because he said, "the Father is in me, and I am in him, but he escaped out of their hands" (John X : 39). On another occa-

sion, "the chief priests and the Pharisees had given a commandment, that, if any man knew where he were, he should show it, that they might take him" (John XI : 57). (See Mark, n. 108.)

Consequently, the Nazarene who had personal knowledge of all these incidents, because he apparently escaped in person and not by proxy, would not have made the statement, "and ye laid no hands on me," thus falsely implying that they had never cared to apprehend him. Something is wrong with all these texts.

169. Gould ("Mark" XIV : 43) says: "Chief priests, scribes, elders. This is the complete designation of the Sanhedrin by the classes composing it." Salmond ("Mark" XIV : 55) states: "It was therefore a full meeting of the great national council, presided over by Caiaphas." (See Matthew, n. 9.)

170. See Mark, n. 114.

171. Another instance of careless recording.

172. See pp. 444-7 where it is shown that Matthew and Mark wished to convey the thought that the trial by the Sanhedrin took place during the night.

173. See Summations, n. 49.

174. A serious Christian author McNeile ("Matthew" XXVI : 59-66), admits: "The historical value of the account of the trial is denied by some, since none of the Twelve was present." (See Matthew, n. 202; Mark, n. 30.)

175. See John XVIII : 16.

176. McNeile ("Matthew" XXVI : 59) interprets the Matthean text: "The whole Sanhedrin took part." Mark, too, emphasizes (XIV : 53): "All the chief priests and the elders and the scribes." (See Mark, n. 134.)

177. Acts V : 34.

178. According to Luke (XXIII : 50-51), Joseph of Arimathea disagreed with the other members of the Sanhedrin.

179. John VII : 50-52.

180. Whether or not those honest men (they are considered honest by the followers of Jesus, because the writers of the New Testament condescended to admit their honesty, while they stigmatized all the other members as murderers and blood-thirsty tyrants) were present at the time Jesus is alleged to have been tried by the Sanhedrin, is a vexing problem to Christian commentators. Most of them claim that those good men were not present, but their contention is refuted by the statements of the Evangelists. Matthew (XXVI : 59) in describing the Sanhedrin, emphatically states "and all the council"; and Mark (XIV : 53) emphasizes "all

the chief priests and the elders and the scribes." (See Matthew, n. 45, and Summations, n. 9.)

181. Deuteronomy XIX : 16-21.

182. See p. 531 where the opinion of Prof. Husband is quoted with reference to this question.

183. Even Christian authors at times become impatient with the "illogical" statements of the Apostles. Plummer, for instance, commenting on this Matthean text, remarks ("Matthew," 376): "Matthew, rather illogically, says that 'they sought false witnesses,' as if they preferred to have testimony that was untrue." (See Mark, n. 120.)

184. Even Queen Jesebel, the heathen, knew better. When the wicked queen ordered the Jewish elders to procure false witnesses against her neighbor Naboth, she instructed them to have the witnesses accuse him of a specific charge, saying (I Kings XXI : 10): "And set two men, sons of Belial, before him, to bear witness against him, saying, 'Thou didst blaspheme God and the king.'" On what grounds, then, was Jesus arrested and brought before the highest tribunal in the land? Was it on general principles?

185. Salmond ("Mark" XIV : 57), among others, says: "The court, however, had a second set of witnesses in reserve."

186. Mishnah, Sanhedrin V: 1-4.

187. See p. 559 for the opinion of Prof. Husband in this connection.

188. John (II : 19) asserts that Jesus made this statement to a multitude of people, and he explains (verse 21) that Jesus' statement had reference to the "temple of his body," and not to the temple of God. Jesus himself, however, gave no such interpretation of his statement. And to be sure the rabble to whom the statement was made did not interpret it in the sense given by John, but gave it its natural uncolored meaning. It is difficult to understand, then, why St. Matthew branded the witnesses as false.

189. See pp. 413-15 where it is proven that such an utterance did not constitute a crime of any nature in the Jewish system of jurisprudence.

190. See Mark, n. 132.

191. See pp. 436-40 where it is proven that the Nazarene could have been convicted as a false prophet on the ground that his prophecies were not fulfilled.

192. Mishnah, Sanhedrin VII : 5.

193. Numbers XXXV : 30; Deuteronomy XVII : 6.
194. Deuteronomy XIX: 15.
195. See pp. 417-18 where this point of law is discussed.
196. See pp. 443-4 where it is proven that no decision could have been rendered in such a manner in a Jewish court of law.
197. McNeile, among others, says ("Matthew" XXVI : 67): "The object of the verb is that of the preceding verse, i. e. the members of the Sanhedrin."
198. See pp. 398-400.
199. Deuteronomy XV : 9.
200. Babli, Moed Katan 14b; Sanhedrin 63a, quoting the view of Rabbi Akiba; Maimonides, *Hilkot Sanhedrin* XIII : 4.
201. See pp. 563-5, and Mark, n. 19 where this "spitting incident" is fully discussed and authorities are quoted, and cited.
202. McNeile ("Matthew" XXVI : 69) says: "It was outside the palace, and below (Mark) the council-chamber." Swete ("Mark" 66, 67) explains: "He is outside the council-chamber, and below it, in the open area beneath the room where the Sanhedrin had met." Carr ("Matthew" XXVI : 69) claims Peter sat not "without in the palace," but "in the court."

So the question must be asked again: Who of Jesus' disciples was there in the court-chamber where the trial was held, to record all these alleged happenings? Matthew (XXVI : 56) as well as Peter (Mark XIV : 50) state that all the disciples fled, and that Peter was the only one who followed the apprehending officers "afar off" (Matthew XXVI : 58; Mark XIV : 54). That Peter did not sit together with the officers who acted as court-attendants is proven by the Marcan text (XIV : 66) where the damsel who identified Peter is recognized as one of the maids of the high priest, in other words a slave-girl. (See Matthew, n. 203; Mark, n. 138.) A slave-girl would not have dared to enter the sanctum of the seat of justice of the high priest, the pontiff who assumed princely dignity. Consequently Peter was not and could not have been an eyewitness to the proceedings, and therefore could not have recorded the actual facts. (See Matthew, n. 174.)

Neither do the four witnesses for the Prosecution agree about where Peter actually was at the time of the trial. Matthew (XXVI : 69) places him "without in the palace of Caiaphas." Peter (Mark XIV : 66) states that he was somewhat "beneath" in the palace of the high priest. Luke (XXII : 65) places him in the midst of the hall of the high priest. John contends (XVIII : 13-16) that Peter gained admittance into the palace of "Annas"

through the intercession of another unnamed disciple of Jesus. According to John, then, Peter was in the palace of Annas.

203. Salmond ("Mark" XIV : 66) says: "One of the maids. One of the slave-girls employed in the high priest's household." So Plummer ("Mark" XIV : 66).

204. The Pharisaic martyrs, under the reign of the cruel Emperor Hadrian, as told by all historians, went to their doom, suffering untold agony, without lying or cursing or swearing. Those martyrs, branded by the Evangelists and by the Church as hypocrites, would never have dreamed of saving their lives by lying to their Roman tormentors, and certainly not by swearing falsely. To execute the will of their God, to teach His law to the people, they risked their all, and then suffered their punishment without complaint or murmur. Yet, Peter remains the Saint upon whom the Christian Church was built, and the memory of those unfortunate Jewish martyrs is disgraced by the Church to this very day.

205. See Mark, n. 23.

206. This is just careless recording.

207. See Matthew, n. 58.

208. Holtzman, in his commentary on the Synoptical Gospels, and in his Introduction, regards Mark and the *Logia* of Matthew, which forms the basis of the Synoptical Gospels, as historically valid. He admits, however, like many authors after him, that the Synoptical Gospels are, in their purpose, not historical but apologetic. They are intended to represent Jesus as the Messiah, and to show that his death, far from defeating his purpose and disproving his claim, was foreseen by him, and included in his purpose. (See also Gould, "Introduction to Mark," page xlvii.)

209. Green ("Matthew" XXVII : 3-10) remarks: "Matthew's account of the suicide of the traitor is related in sharpest condemnation of the Jewish hierarchy. Gruesome legends have always been gathered round the end of traitors."

210. McNeile ("Matthew" XXVII : 3) comments: "The incident was probably added by a later hand. The Sanhedrin are pictured as still sitting, after the Lord was led away, and Judas entered before they broke up. The writer, therefore, understands the condemnation to have taken place at the morning meeting."

211. See Acts I : 15-19, and Mark, n. 162.

212. According to almost all Christian commentators, the Jewish dignitaries went to Pontius Pilate to request him to execute their sentence against the prisoner which they themselves were

unable to execute under the Roman system. In this theory they rely upon the statement made by John (XVIII : 31) that the Jewish courts had been deprived of the *jus gladii*, the right to put any man to death. (See pp. 337-42 where this much debated question is fully discussed.) But it is remarkable that these authors overlook the fact that the Jewish authorities at no time mentioned to Pilate that they had already found the prisoner guilty in accordance with their law of the capital offense of blasphemy, and that they wished him to act upon their decision. Instead, they brought political charges against him, according to Luke (XXIII : 2).

213. Luke XIII : 1; Josephus, "Antiquities" XVIII : iii, 1-2; iv, 1-2; "Wars" II : ix, 2 ff.; Philo, "Legatione ad Caium," 38; Schuerer, "Geschichte des Juedischen Volkes," Vol. II, p. 187.

214. Matthew fails to record what actually took place at the time the Jewish authorities brought Jesus before Pilate. They evidently said nothing at this point, because nothing is recorded. They brought a prisoner before the Roman judge and remained dumb. Wise jurists, those men of the Great Sanhedrin! Was there ever a description of any trial, real or fictional, so unintelligently written?

Neither does Mark state (XV : 1) what charges the Jewish accusers preferred against Jesus. Luke, however, declares (XXIII : 2) that the Jewish authorities preferred three charges against the Nazarene.

215. See pp. 459-60 where it is pointed out that Pilate might have obtained his information from his own soldiers when Jesus was given a royal reception upon entering Jerusalem (Matthew XXI : 1-9; Mark XI : 1-11; Luke XIX : 29-38; John XII : 12-15). That Pilate must have had some knowledge of Jesus' activities, is further proven by the fact that, as claimed by John (XVIII : 3), he gave the Jews a cohort of soldiers to help in the arrest. Plummer ("Luke" XXIII : 2) says: "The excitement caused by Jesus' ministry was notorious, and it would not be easy to prove that it had no political significance."

216. Again the writer of this Gospel displays his usual indefiniteness of statement. Of what did the chief priests and elders accuse the Nazarene? What was the nature of their charge against him? All answers to these questions the writer prefers to leave to the imagination of the readers, so that each and every student may place any interpretation thereon that he chooses. (By the way, one must admit that the Gospel-writer signally achieved

his purpose. The imagination of the Christian commentators has been boundless in their effort to clarify the innumerable obscurities in the Gospels.) It is, of course, possible that not choice but ignorance was this writer's source of obscurity. Perhaps he did not possess enough knowledge of any system of law and procedure, either Jewish or Roman, to trump up a charge that could be sustained on the principles of law of either nation. It is hard to understand why any further complaints had to be lodged against the prisoner, as he had already admitted to the Roman official that he was guilty of treason, the greatest offense in Roman law.

217. John states (XIX : 10) that Pilate's pride was hurt by Jesus' silence, but these Evangelists would wish us to believe that Pilate "marvelled" at Jesus' silence, as if he were awed by it. Bernard ("John" XIX : 10) says: "Pilate's dignity is offended by receiving no answer. The silence of Jesus amounts to contempt of court." Yet, Matthew expects us to believe that the haughty Roman Procurator merely "marvelled" at Jesus' obstinacy.

218. McNeile ("Matthew" XXVII : 12) says: "Legally it (the silence) might be taken as a confession of guilt, but actually it produced an uncomfortable effect upon the judges. Caiaphas was led by it to extort a confession, Pilate to a series of attempts to extricate the prisoner and himself." Does it not occur to this learned author that "the silence" was a mere invention of the Synoptical Gospels? Does this author forget that John avers (XVIII : 19-20) that Jesus made a bold, even somewhat illogical, answer to the high priest? Does not John also state (XVIII : 33-38) that Jesus carried on a lengthy conversation with Pilate?

219. This statement is untrue to historic facts. In the first place, once a person was convicted of an offense, only the Roman Caesar could condone it, and not a provincial procurator ("Dig." XLVIII : 23, 2; XLVIII : 19, 27; XLII : 1, 45, "Cod." IX : 23, 3). Secondly, no mention of any such existing custom is made by any contemporary historian, nor is there a trace of it to be found in the Talmuds. (See p. 342 where this is fully discussed.)

220. Again the usual discrepancies with regard to essential details. Mark (XV : 7) states that Barabbas was imprisoned for insurrection and murder in the act of insurrection. Luke (XXIII : 19, 25) avers that he was guilty of sedition and murder. John, however, asserts (XVIII : 40) that Barabbas was a robber, and this Evangelist simply states that he was a "notable prisoner."

221. Here is another of those vague or meaningless state-

ments. McNeile ("Matthew" XXVII : 17) thinks that it refers to the mob. He says: "The populace now appeared for the first time. The Lord had been handed over to Pilate after a secret arrest and trial, so that the people as a whole would know nothing of it." The arrest could hardly have been effected secretly when it was made by a "great multitude" (Matthew XXVI : 47).

222. And in fact, Mark (XV : 9) expressly states that Pilate said, "Will ye that I release unto you the king of the Jews," not using the term "Christ" at all. Luke, in his description of the proceedings before Pilate (chapter XXIII), does not once mention that Pilate referred to the Nazarene as "Christ." Neither does John (chapters XVIII, XIX).

223. There can be doubt that the dogma of a "son of God," and the "kingdom of God," was not known to Jesus or to his disciples, but was a conception that became current after the alleged Crucifixion. (See pp. 364-7.)

224. Mark, too, speaks of envy (XV : 10), but not Luke (ch. XXIII) nor John (chs. XVIII, XIX). (See Mark, n. 170.)

225. McNeile again admits ("Matthew" XXVII : 18): "Matthew, with anti-Jewish feeling, ascribes the envy to the whole people, Mark to the high priests; the latter must be right, since the people had had no hand in the arrest or condemnation." If Matthew is wrong in this particular instance, why can't he be wrong in many others?

226. See Wildermann's Douay Edition of the Bible, "Introduction to Matthew."

227. See Matthew, n. 213.

228. Some authorities contend that this woman, described as "his wife," could not possibly refer to Claudia, because by an imperial regulation provincial governors had been prohibited from taking their wives with them. (Carr, "Matthew" *a. l.*, and others). However, Tacitus ("Annals" III, 33-34) records a decision of the Senate that governors in the provinces might take their wives with them.

Rosadi ("Trial of Jesus," ch. XVI) relates that Claudia, the wife of Pilate, was the daughter of Julia, daughter of Emperor Augustus. "Julia, after being married to Tiberius as her third husband, was sent into exile by her father on account of her dissolute life. In exile she had born Claudia to a Roman knight, by whom she was brought up. The Spaniard Pontius Pilate met her in Rome when she was sixteen years of age, and having cast a servile rather than a lustful eye on Claudia, whose upbringing and habits he well knew, and having found his way into the inner

favor of Tiberius, he asked her in marriage. Tiberius gave his consent."

It is strange how disreputable women became favorites of the Nazarene and his followers: First, Mary Magdalene of the seven devils, who became a Saint, and now Claudia, the daughter of a lewd woman and herself of disreputable habits, who was chosen by Heaven as a medium of communication concerning the Nazarene.

Early Christians have gone to the extent of lending her a Jewish background by stating that she had accepted Christianity prior to this incident. ("Gospel According to Nicodemus," ch. II). This represents a heroic attempt to patch up difficulties, but it is hard to tell where they obtained their information, unless by nonsensical supposition. This woman, too, was canonized by some Churches.

It is rather remarkable that the other two Synoptists (Mark XV : 2-15; Luke XXIII : 1-25) and John (chs. XVIII, XIX) omit this strange dream of Pilate's wife.

229. See Matthew, n. 70.

230. Gould ("Mark" XV : 9, 10, 14). (See Matthew, n. 235.)

231. Swete ("Mark" XV : 13) says: "The Procurator was answered by a shout in which all joined."

232. What a refined and orderly procedure for a constituted court of law conducted by a dignified Roman Procurator in the presence of and at the behest of the judges of the Supreme Court at Jerusalem! See p. 472 where it is shown that the Roman law expressly prohibited a judge to be swayed by public opinion. It is very unlikely, therefore, that a judge would ask a rabble what to do with a prisoner.

233. Mark, too, states (XV: 12) that Pilate wanted the mob to tell him what to do with the Nazarene. Neither Luke (ch. XXIII) nor John (chs. XVIII, XIX), however, mentions that Pilate asked such a question of the Jews.

234. Only Luke (XXIII : 2) states that the Jews preferred specific charges against Jesus before Pilate.

235. See pp. 593-4 where it is proven that Pilate was the sole judge who had power to decide the case before him.

236. See pp. 467-8.

237. So stated by Luke (XXIII : 4, 14, 22) and by John (XVIII : 38; XIX : 4, 6).

238. Luke states (XXIII : 7-12) that Pilate sent the Nazarene to Herod.

239. John (XIX : 1) says that Pilate scourged Jesus before he declared him guilty.

240. John (XIX : 2-5) testifies to that effect.

241. So stated by John (XIX : 14).

242. Edersheim ("The Life and Times of Jesus the Messiah," p. 476) says: "They knew too well the character of Pilate, and how in any such tumult all parties—the leaders as well as the led—might experience terrible vengeance." (For historic references, see Matthew, n. 213.)

243. See pp. 594-5 where it is proven that Pilate could not have made such a statement.

244. John XVIII : 31, 32. (See pp. 285-6, and John, n. 181.)

245. Matthew XXI : 1-15.

246. See pp. 595-7.

247. McNeile ("Matthew" XXVII : 24) admits: "It is doubtful if the passage can be regarded as historical."

248. See Summations, n. 25.

249. See Wildermann's Douay Edition of the Bible, "Introduction to Matthew."

250. See pp. 635-8.

251. Mark (XV : 15) agrees with Matthew that the scourging was part of the crucifixion. Luke's only mention of the scourging is the Nazarene's prediction (XVIII : 33) of what was to take place. This prophecy has not been fulfilled, according to Luke's account of the trial before Pilate (ch. XXIII). (See John, n. 204.)

252. Bernard ("John" XIX : 2) comments: "The soldiers were amused with the idea that the prisoner claimed to be a king, and their rough jests were directed rather against the Jews than against Jesus personally." (See John, n. 23.)

253. Even a Christian author (McNeile, "Matthew" XXVI : 29) wonders: "Where did they get the thorn-bush from, if they were in the heart of the city?"

254. It is remarkable that the Synoptists do not agree upon the details of the mockery. John does not mention this mockery at all. Luke (XXIII : 11) ascribes this cruel indignity not to Pilate's soldiers, but to Herod's. And Mark (XV : 17-18), from which Gospel the writer of the Matthean Gospel was supposed to have drawn his information, does not say anything about the mock-sceptre in the form of a reed placed in the hand of the Nazarene. Where, then, did Matthew obtain this detail?

255. There are some authors who suppose that the name of the place Golgotha was derived from the use to which it was put,

and from the skulls and skeletons of executed prisoners to be seen there (Winer, "Bibl. Realwoerterbuch," art. "Golgotha"). See pp. 343-4 where it is proven that this explanation of the word is entirely untenable. (See Matthew, n. 77.)

256. This is another example of ambiguous recording.

257. Mark, the original Gospel, states (XV : 23) that they gave Jesus upon arriving at Golgotha, "wine mingled with myrrh." It is obvious that the writer of the Matthean Gospel purposely changed the draught to vinegar with gall in order to make it conform to a Biblical text (Psalms LXIX : 22). (See pp. 448-9 and 602-3 for a full discussion of this subject.)

258. It is difficult to explain why the writer of this Gospel chose to ignore the Marcan account, which was his main source of information, and which states (XV : 23) that "he received it not," that is, before tasting it. (See p. 603.)

259. McNeile is voicing the opinion of many authors when he says ("Matthew" XXVII : 37): "Whatever was the original form (of the titulus), the charge on which he was executed was a claim of kingship. That he said He would destroy the temple would have been nothing to Pilate, even if it had reached his ears, and having sacrificed Jesus to save himself from the mob, he was obliged to put forward an adequate charge."

So this helpless Roman tyrant saved himself from the fury of the Jewish mob, not by means of the legions at his command, but by sending an innocent man to crucifixion on a trumped-up charge. And this is considered sound Christian logic.

260. The punishment of crucifixion was not meted out by the Romans to either thieves or robbers. Many Christian commentators therefore contend that these two robbers must have belonged to the same robber band of which Barabbas was a member and must have committed murder with Barabbas.

Carr ("Matthew" XXVII : 38) says: "*Two thieves*. Rather, robbers; in all probability partners in the crime of Barabbas."

Plummer ("Matthew," p. 396) comments: "The two robbers may have been connected in crime with Barabbas, but at any rate, they were 'bandits' plundering by violence, and not pitiful 'thieves.'"

Salmond ("Mark" XV: 27) remarks: "Not 'thieves,' but perhaps members of the insurgent band of Barabbas."

Yes, according to the court-records, a thief was crucified for having stolen two cents. Twenty centuries later it was explained, in justification of the ignorant recorder, that the "thief" committed murder in the act of the robbery.

261. The writer of this Gospel again inserts a vulgar detail in an effort to make his account conform to Psalms XXII : 8: "All they that see me laugh me to scorn: they shoot out the lip, they shake the head."

262. McNeile ("Matthew" XXVII : 40) comments: "The two halves of the verse in Matthew are based on the two claims of Jesus."

263. Here is the explanation of a prominent Christian commentator. Swete ("Mark" XV : 29) says: "In Matthew the ground of this raillery appears; the Sanhedrists had spread the report of the Lord's answer to the question of Caiaphas (Matthew 61 ff.)."

The same author says (*l. c.* XV : 1): "At daybreak, as soon as it was morning . . . since the second crowing was past and the crucifixion took place at the third hour (*v.* 25), it is natural to understand the hour of daybreak, from 5 to 6 a. m." And this author remarks on the same verse: "The Sanhedrists' resolve was immediately followed by action. There was no time to be lost; the Feast has begun, and the multitude would presently assemble; they must place the Lord in the hands of the Procurator before a rescue would be attempted."

This author should be called upon to explain these discrepancies in his interpretation of the Marcan text: 1. If, as he claims, the Sanhedrists brought Jesus to Pilate at daybreak, when did they have the time to "spread the report of the Lord's answer to Caiaphas" which allegedly took place after midnight? 2. If the Sanhedrists actually feared the multitude and an attempt to rescue the Nazarene, as contended by this author, did they not then defeat their own purpose by "spreading the Lord's answer to the question of Caiaphas"? Christian commentators apparently inherited Apostolic tendencies to incongruities.

264. See Mark, n. 205.

265. See Matthew, n. 80.

266. See Luke XXIII : 39-43.

267. See Matthew, n. 81.

268. McNeile, evidently in an effort to justify the Gospel statement that Jesus used an Aramaic version of the Psalms, comments ("Matthew" XXVII : 46): "The Lord used an Aramaic version current in the synagogue at the time of the Nazarene. It was simple ignorance that led the Gospel writers to put a crippled quotation in the mouth of Jesus. (See pp. 505-8 for a full discussion concerning this Biblical quotation.)"

269. Matthew XVI : 21; XVII : 23; XX : 19.

270. McNeile ("Matthew" XXVII : 46) is rather puzzled.

when he comments: "That it was a cry of despair from a consciousness of failure is inconceivable from one who had expected (XXII : 22) and accepted (XXVI : 39, 42) the cup of suffering, and who knew that his death was necessary to make him a 'ransom for many' (XX : 28) and as a means of reaching his Messianic glory."

271. Matthew XVI : 21-23.

272. Matthew XXVI : 39, 42.

273. Matthew XX : 28.

274. Matthew XXVI : 28. (See n. 270, ante.)

275. Green ("Matthew" XXVII : 46) says: "Eli, eli—in their Hebrew form, it is difficult to see how they could possibly have suggested the name of 'Elijah' to the bystanders. In no case could any Jew possibly have confused the name of God (Hebrew *El*) with any other name. For this reason the words in verse 47 have been supposed to refer to heathen guards. But what would they have been likely to know about Elijah?" (See Matthew, n. 82.)

276. Klausner ("Yishu ha-Notzri," p. 385) comments: "The quotation on the cross, 'Eli, eli,' must be accepted as being historical, because they would not have invented an account against their own interests." McNeile ("Matthew" XXVII : 46) contends: "Of the seven utterances from the cross, this (Matthew, Mark) is the least likely to be due to Christian imagination—a very human cry quoted from Psalms XXII : 1."

The last contention is untenable. Jesus was not supposed to be human, and therefore he could not have uttered "a very human cry." (See pp. 505-8' for a full discussion of this topic.)

277. Whoever gave the vinegar, whether Jew or Roman, must have been a prophet to have known that Jesus must drink vinegar in order to fulfill the Psalms (LXIX : 22), and to have purposely brought vinegar, sponge, and reed to the place of crucifixion.

278. The usual vagueness of the author. Who were "the rest"? If the rest knew about Elijah, then they must have been Jewish onlookers. If so, then the "one of them" mentioned in the preceding verse must have been one of this group of Jewish onlookers. How ridiculous! No Jew would have dared to interfere with a Roman execution. And to what purpose did that Jew bring vinegar, a sponge, and a reed to the scene of execution? And why did all the Jews remain at Golgotha till three o'clock in the afternoon on the first day of Passover?

279. Again the author's vagueness of expression. Carr ("Matthew" XXVII : 49) explains: "We must understand this to mean

either (1) leave *him*, do not assist him; or (2) leave *it*, do not give the draught to him."

280. Gould ("Mark" XV : 36) remarks: "As Matthew tells it, these are probably the words with which the bystanders try to refrain his gracious act. They say virtually, 'Don't interfere; let Elijah help him.'" Why "probably," when Matthew expressly says so?

Swete ("Mark" XV : 36) states: "The three accounts of this incident vary considerably.

"Matthew distinctly assigns this saying to the rest of the party, who desire the man to desist and wait for Elijah to intervene. The independence of the two Evangelists at this point is significant." Yes, the "independence" (namely, irreconcilable contradictions) everywhere is really significant. The question is, what can one do about it, besides concluding that the narrations are mere inventions told by incompetent men?

281. This is the generally accepted interpretation of the text. McNeile ("Matthew" XXVII : 52, 53) says: "The earthquake opened the tombs, and yet it was not till after the Lord's resurrection that the saints emerged, and entered the city."

282. Plummer ("Matthew," pp. 402-403) admits: "The tradition as given by Matthew is inconsistent with itself." Then this author asks: "And who are these 'saints?' What was the purpose of their appearing to many in Jerusalem? And what became of the bodies of the saints after they had appeared to others? Did they return to their tombs?"

283. See Mark, n. 219.

284. McNeile ("Matthew" XXVII : 36) justifies certain omissions in Matthew and in Luke, "because they received more accurate information."

285. McNeile ("Matthew" XXVII : 55) declares: "These were the eyewitnesses from whom the Church received accounts of the crucifixion. All the Synoptists relate that they stood afar off. In any case the words from the cross cannot be rejected merely because those who stood afar off could not have heard them." And one would like to know why they cannot be rejected on this very ground. If a witness quotes something that he was too far away to hear—and this by his own admission—certainly his quotation must be rejected.

And the same author, wishing to prove that the Gospel report is true, continues: "Apart from the account in John that the Lord's mother, other women, and the beloved disciple, stood by the cross, the centurion, and one at least of the soldiers, were sympathetic,

and might have spoken afterwards of what they had heard."

O perverted Christian logic! How would a Roman centurion and a Roman soldier have been able to repeat a Biblical verse uttered by Jesus partly in Hebrew and partly in Aramaic?

286. Mark XVI : 9; Luke VII : 2. McNeile ("Matthew" XXVII : 56) remarks: "Mary Magdalene, from whom seven devils had gone out." This would prove that the writer of this account knew the Lucan Gospel where she is mentioned for the first time in VIII : 2. (See Mark, n. 222.)

287. Plummer ("Matthew," p. 407) points out: "Matthew and Mark seem to imply that Pilate had the body taken down by soldiers and given to Joseph; but Luke expressly states that Joseph took it down, and John adds that Nicodemus helped him." It is surprising that this author made no attempt to reconcile these discrepancies.

288. John (XIX : 39-40) so maintains.

289. If Joseph of Arimathaea came to ask for the body in the "even," then according to this narration it was on Friday, or Sabbath eve. It is conceded by all Christian commentators that it would have been impossible for Joseph to attend to the body of Jesus after sunset on Friday when the Sabbath actually began. The Christian commentators, therefore, try to reconcile this incongruity by giving a different explanation of the Greek term employed in the Matthean text. Plummer ("Matthew," p. 406) says: "By 'evening' is meant the time between 3 p. m. and sunset." McNeile ("Matthew" XXVII : 57) interprets it to mean, "just before 6 p. m., at which time the Sabbath would begin." See also Valpy's *a. l.*

It is strange how inconsistent these commentators are. The very same Greek noun is employed in the same Gospel, Matthew XXVI : 20, and here McNeile interprets it to mean "after dark." In that case it was necessary to show that Jesus had complied with the Jewish law regarding the Passover celebration, when the paschal lamb was to be eaten. And so convenience dictates definition, so that one word means "before dark" and "after dark."

Besides, if Joseph came to Pilate "just before 6 p. m.," how would he have been able to manage to remove the body from the cross, buy linen, and bury it before dark?

290. The expression, "the next day, that followed the day of preparation," is full of difficulties. Friday was designated as "the day of preparation," because on that day food was prepared for the holy Sabbath, when no food could be prepared. It is very strange, therefore, that the Sabbath should be described as "the day that

followed the day of preparation," as though the Sabbath was insignificant and Friday was the important day. Plummer ("Matthew," p. 408) remarks: "'After the preparation' is remarkable and redundant."

McNeile ("Matthew" XXVII : 62) says: "'the day after Friday' sounds as though the writer of the section was repudiating the Jewish Sabbath." Shall we assume, then, that this section embodied in the Matthean Gospel and accepted as historically true, was added centuries after the time of the Nazarene, when the Church sought to divorce itself completely from Jewish practices?

Some Christian authors at times become impatient with the Gospel writers and accuse them of being false and untrue to their own conscience. Allen, for instance, says ("Matthew" XXVII : 62-66): "According to Matthew's reckoning, this would be the Sabbath, since the crucifixion took place on the Friday following the Passover. Why does he not say simply 'on the morrow' or 'on the Sabbath'? . . . He (Matthew) may also have felt that the action of the authorities in effecting the sealing and guarding of the grave was an unlikely course for them to have taken on the Sabbath, and to have avoided therefore the direct 'on the Sabbath.'"

In other words, this author would have us believe that Matthew knew that the incident was false, and he therefore avoided the mentioning of the Sabbath expressly, in the hope that the readers of the Gospel would be gullible enough to be deceived into believing that it did not take place on the Sabbath. Wasn't Matthew supposed to write by divine inspiration, and not by the evil spirit of deceptions? (See Matthew, n. 307.)

291. Matthew XVI : 21; XVII : 23; XX : 19.

292. Matthew XVII : 1-8; Mark IX : 2-8; Luke IX : 28-36.

293. Robertson ("Matthew" XXVII : 63) says: "It is strange that the enemies of Jesus remembered when his disciples did not. Even Peter, James and John who had been on the mount of transfiguration, fail to remember." The reason is obvious: it is a clumsy fiction.

294. McNeile ("Matthew" XXVII : 65) states: "Since the guard was of Roman soldiers, not temple police, as is shown by the necessity of asking Pilate for it."

Husband ("The Prosecution of Jesus," p. 127) says: "It is quite beyond reason that he should have granted a guard at all. With the sympathy he evidently had for Jesus during the trial, he would have only a feeling of irritation at a further request from the prosecutors of Jesus. Even without this feeling his superior Roman attitude would make him callous to any appeal

from the despised subject nation . . . The conclusion is inevitable that the watch at the tomb was composed of a small detachment of the temple guard."

This contention is untenable. Firstly, the Jewish authorities would require no special permission from the Roman Procurator to make use of their own Temple guard, especially since Jesus had been buried in the private sepulchre of Joseph of Arimathaea as was alleged by the witnesses for the Prosecution. Secondly, the Jewish authorities, according to Matthew, promised to protect the guards from the Procurator, and Jewish guards from the Temple would be answerable not to the Procurator but to their own masters for not having been on the alert during the night.

295. See p. 861, n. 88.

296. Luke (XXIV : 4) and John (XX : 12) state that there were two angels.

297. See pp. 622-3.

298. See pp. 502-3.

299. McNeile ("Matthew" XXVIII : 9) offers an explanation: "In Luke XXIV : 39, John XX : 20, 27, contact with the Lord's bodily frame is a help to faith, a thought which does not seem to be present here; the women accept the truth immediately, and cling with reverent love." It is really remarkable. A woman of the seven devils wiped the feet of Jesus with her hair when he was alive (Luke VII : 38; John XII : 13), and now she together with another woman clung to his feet "with reverent love" when he was dead. But the Apostles remained dull and indifferent. (See John, n. 275.)

300. John records (XX : 17) that Jesus said to Mary: "Touch me not."

301. This is contradicted by John (XX : 16-17).

302. McNeile admits ("Matthew" XXVIII : 9): "This incident is probably a late addition . . . He enjoins them not to be afraid, though they show no sign of fear when they see Him, and to go and tell His disciples, though they are on the way to do so."

303. Matthew (XXVIII : 17) states that on a certain occasion "some doubted," while the other Synoptists record that the disciples "believed not." (Mark XVI : 10-11; Luke XXIV : 11).

304. Matthew XXVII : 3-10.

305. Matthew XXVII : 25.

306. Matthew XXVII : 62-66.

307. McNeile ("Matthew" XXVII : 62-66) rightly remarks : "These verses probably belong to the same circle of traditions

connected with Pilate, as *vv.* 19, 24, f., XXVIII : 11-15, which throw additional discredit to the Jews." Honest Christians must occasionally admit that the motive underlying all these nonsensical myths was hatred of the Jews for having rejected Jesus as their Messiah. (See Matthew, n. 290.)

308. There is no book in Jewish literature where this incident is recorded. It is merely another example of the audacity and ignorance of the writer of this Gospel. He asserts that a certain book contains a statement, but avoids telling us the name of the book, lest he be caught lying to posterity.

309. See pp. 635-8 where it is conclusively proven that this was the motive of the writer of the Matthean Gospel.

The other Evangelists state that Jesus appeared to his disciples in Jerusalem (Mark XVI : 14; Luke XXIV : 36; John XX : 19, 26), but Matthew makes no mention of such appearances.

311. This proves that this section was written many years later.

312. McNeile ("Matthew" XXVIII : 16, 17) merely notes without an explanation: "The sudden mention of the mountain."

313. Some Christian commentators have detected irreconcilable discrepancies in the Gospels, but they argue that those very discrepancies prove the truthfulness of the Gospels.

Swete ("Mark" XV : 5) says: "The very diversity of the accounts strengthens the probability that the story rests upon a basis of truth; the impression of the witnesses differed, but they were agreed upon the main facts."

Plummer ("Luke," p. 546) states: "And it is no paradox to say that the difficulty of harmonizing the various narrations is in itself a security for their general truthfulness. Dishonest witnesses would have made the evidence more harmonious. As it is, each witness fearlessly tells his own story according to the knowledge which he possesses, and is not careful as to whether it agrees with what may have been told elsewhere." (See Matthew, n. 113.)

Suppose a man is accused of murder, and the sole evidence produced in court against him is the testimony of four witnesses. The story told by them in court relating to the felonious act is contradictory in almost every detail. They do not agree on vital facts concerning time, place, manner, etc. Would, then, any presiding judge instruct the jury to disregard the contradictions since they agree upon the main fact that the prisoner killed a person? That "main" fact has not yet been established for the reason that the witnesses proved to be untruthful and dishonest.

These theologians have a perfect right to adopt those illogical methods to strengthen the testimony of the Apostles for the purposes of their belief. They cannot, however, apply such faulty reasoning to endanger the lives of millions.

314. Matthew XVI : 21; XVII : 23; XX : 19.

315. Luke XXIV : 51.

Notes and Comments

MARK

1. This is based on the statement of Papias (Eusebius, "Hist. Ecc." III : 39) that Mark wrote down what he, in a disconnected way, heard from Peter.

2. In the Jewish system of procedure, when the witnesses who bore testimony in a capital case were examined by the court, they were admonished to be sure that their testimony was based on what they themselves heard and saw and not upon what "they heard from a trustworthy person." (Mishnah, Sanhedrin IV : 5).

3. John XXI : 15, 16, 17.

4. Mark's designation of the Jewish spring Festival as "feast of passover, and of unleavened bread," is extremely confusing. There were not two distinct festivals among the Jews known by the two different names, "feast of passover," and "feast of unleavened bread." And, if at the time the Gospel was written, the Jews designated this Festival by either one of the two terms, there was no need to mention the two terms to denote the Feast. Either one of these two terms would have sufficed to describe the Feast itself.

It would follow from this, that the writer of these verses was either unfamiliar with Jewish religious life, or simply ignorant in the use of words.

Gould ("Mark" XIV : 1) says: "The unusual thing here is the use of the two terms to denote with fulness the character of the feast by the mention of both its characteristic marks."

5. Gould ("Mark" XIV : 5) says: "300 *denaries*, or *shillings*. Or, since the real value of the *denarius* was a day's wages, it would amount to more than as many dollars. This explains the indignation. The act was extravagant, certainly."

6. See Matthew, n. 11.

7. See Matthew, n. 114.

8. See Mark, n. 42.

9. See Matthew, n. 19.

10. See Matthew, n. 23.

11. See Matthew, n. 143.

12. The Biblical quotation given by this Evangelist differs from that given by Matthew (XXVI : 31). The Matthean phrase

"of the flock," does not appear in the Marcan text. (See Matthew, n. 144.)

13. Jesus predicted that he would appear to his disciples in Galilee after his resurrection. According to this Evangelist, however, no such appearance was made (XVI : 9-30). Obviously, then, Jesus failed to fulfil his prophecy. (See Mark, n. 73.)

14. See pp. 503-4 where it is proven that Jesus who used only the Hebrew could not have combined a Hebrew and a Greek word.

15. See Matthew, n. 35.

16. Luke (XXII : 47) says that he "drew near to kiss him," but obviously did not actually kiss him.

17. John (XVIII : 8) reports that the Apostles did not flee like cowards, but that Jesus pleaded with the apprehending officers to "let these go their way."

18. See Mark, n. 126.

19. Here is another illustration of inaccurate recording. Matthew (XXVI : 67) reports that "they," meaning all the judges spoken of before, "began to spit in his face." The Marcan Gospel reports that "some" did spit, and not "in his face," as Matthew would have it, but "on him."

Matthew's motive in including the entire body of the supreme court by changing Mark's "some" into "they" is obvious. He wished to present the Jews and their leaders to posterity in the most shameful possible light. In their Jew-baiting fanaticism, the early Christians often disregarded all principles of logic and common sense. (See pp. 563-5.)

20. The act of covering one's face probably has reference to the old Persian custom of covering the face of a man who has fallen into disgrace with the king, as in the case of Haman (Esther VII : 8). This symbol of disgrace, however, was used neither among the Hebrews nor among the Romans. It is evident, as has been pointed out in other instances, that the Evangelists had a tendency to make use of Biblical expressions, descriptions, and verses whether or not they had any application to the matter at hand.

21. This Evangelist states that the mockers and abusers said to the Nazarene, "Prophecy." What they wanted him to prophesy about is not told. But when the writer of the Matthean Gospel was puzzled by the expression "prophecy," he added (Matthew XXVI : 68): "Prophecy unto us, thou Christ, who is he that smote thee?" It is not honest recording but convenient.

22. Gould ("Mark" XV : 53) remarks: "The high priest

who was ex-officio the President of the Sanhedrin."

23. Matthew (XXVI : 71) follows the Marcan statement that the second identification of Peter was made by a maid. According to the Greek version, however, the Marcan text reads "the maid," and not "a maid," which naturally signifies the same maid who had made the first identification. Gould ("Mark" XIV : 69) explains: "The same who made the first identification." Plummer ("Mark" XIV : 69) says: "Rather *and the maid*, the same one as before." But Matthew contradicts his Marcan source and he states that it was "another maid." (See Matthew, n. 52.)

24. According to Peter's own narration, the cock crew the second time, and Peter recalled the words of his master, "before the cock crow twice," etc. He reiterates and emphasizes his former statement (verse 30, *supra*) that the Nazarene had said that the cock would crow twice. Matthew (XXVI : 75), who was supposed to have relied upon Peter for facts, reiterates and emphasizes his assertion (XXVI : 34) that the Nazarene had said that the cock would crow but once. Matthew evidently wishes to make certain that the reader will not believe Peter's testimony.

25. Matthew (XXVII : 17) avers that Pilate referred to Jesus as "Christ," and not, as in the Marcan Gospel, as "the king of the Jews."

Plummer ("Matthew," p. 388) points out the discrepancies in the Gospel narration relating to the release of Barabbas, but he makes no attempt to reconcile them. He remarks: "Matthew says that Pilate proposed the alternative of release, which will they have, etc. Mark seems to mean that the multitude came to ask for Barabbas, and that Pilate proposed 'the king of the Jews,' instead. Luke does not mention the custom, for XXIII : 17 is an interpolation; but he says that when Pilate proposed to release Jesus, the people cried out, 'Away with,' etc. In John, Pilate reminds the Jews of the custom, and proposes that the king of the Jews be released in accordance with it."

26. It has been impossible to ascertain who those two persons were.

27. See pp. 343-4 where it is proven that there existed no such place.

28. When an ignorant slave-girl of the high priest's household recognized Peter, she said: "Thou also wast with Jesus of Nazareth" (Mark XIV : 67). Gould ("Mark" XIV : 67) claims that, "*The Nazarene* concentrates in itself their notion of the absurdity of his claim." Plummer ("Mark" XIV : 67) remarks: "'The Nazarene' is contemptuous." According to this interpre-

tation, then, the angel, too, if Mark quoted him correctly, was in conspiracy with the Jews when he referred to Jesus "of Nazareth."

29. See Mark, n. 4.

30. Swete ("Mark" XIV : 2) tells us how the topics that were discussed secretly in the council-chamber had reached the Church. He says: "An echo from the council-chamber which reached the Apostles and found its place in the traditions of the Church." (See Matthew, n. 14.)

31. Matthew XXVI : 3-5.

32. Mark VIII : 31; IX : 31.

33. Matthew XXVI : 2.

34. John XII : 1 ff.

35. So Matthew XXVI : 7. But see John XII : 3.

36. Matthew XXVI : 8.

37. Plummer ("Mark" XIV : 7) comments: "Considering Christ's teaching about the poor (X : 21; Luke XIV : 13, 31; XVI : 20; John XII : 29, we may feel certain that no one would have invented such a saying for him."

The apologist is thus caught on the horns of a dilemma: he must admit that either the writer of the text, or Jesus himself was inconsistent.

38. See Matthew, n. 11.

39. Matthew (XXVI : 15) invents and emphasizes Judas Iscariot's pecuniary motive in offering to betray his master by making Judas ask the chief priests: "What will ye give me, and I will deliver him unto you." The Marcan Gospel contains no such information.

Furthermore, Matthew, unlike Mark, states that the consideration agreed upon between Judas and the chief priests was the paltry sum of thirty shekels. This invention is evidently designed to coincide with the Biblical reference to the price paid for a slave under the Mosaic law (Ex. XXI : 32), to incite the gullible. (See Matthew, n. 15, and pp. 617-618.)

40. See Matthew, n. 14.

41. Ex. XII : 6; Lev. XXIII : 5; Num. XXVIII : 16.

42. All modern Christian commentators agree that the Marcan expression, "on the first day of unleavened bread, when they killed the passover," is extremely harsh and careless. Allen ("Matthew" XXVI : 17) remarks: "'When they were sacrificing the passover,' the juxtaposition of the first day of Unleavened Bread and the Passover is harsh." And he further remarks: "The Passover day after 3 o'clock (when they were sacrificing the Passover) seems too late for the disciples to begin their preparation. It is

more natural that this should have been completed on the day before."

In the Jewish time-reckoning, the day begins at sunset and ends at sunset. Every Festival, as well as the Sabbath, begins after sunset (in Palestine generally six o'clock in the afternoon) on the day preceding the Festival or the Sabbath. The night belongs to the following day. This reckoning is based upon the Biblical verse (Gen. I : 5, 8, etc.): "And there was evening and there was morning"; signifying thereby that at the Creation the night preceded the day.

McNeile ("Matthew" XXVI : 17) says: "And Mark further identifies the day of the killing of the lambs with that of the eating of them." This author is convinced that the Marcan text contains a gross error, but he tries to justify it on the farfetched theory that the fisherman of Galilee, Simon Peter, had in mind "the astronomical and not the Jewish reckoning." Then this author continues: "Matthew, from his knowledge of Jewish customs, omits 'when they were killing the Passover victims.'"

It is highly improbable that St. Peter was not aware of the Mosaic injunction that the Passover lambs were to be killed on the fourteenth of Nisan and eaten on the fifteenth. Besides, such had been the common custom and practice among the Jews from time immemorial. Would it have been likely, then, that the "Rock of the Church" was so ignorant that he was unaware of such practice, and had to be corrected by Matthew? The only logical conclusion that can be drawn would be, that the writer of this Marcan text was extremely ignorant and careless.

43. This is the interpretation of most Christian commentators. McNeile ("Matthew" XXVI : 20) says: "The sending of the two disciples perhaps suggests that secrecy was necessary. Jesus did not enter the city until dark." (See also Swete, "Mark" XIV : 17.)

44. Matthew XXVI : 17-18.

45. Plummer ("Luke" XXII : 13) says: "The Evangelists seem to intimate that Christ's knowledge was supernatural rather than the result of previous arrangement." Gould ("Mark" XIV : 13) states: "It is a question, whether this sign of a man bearing a jar of water on his head had been prearranged between Jesus and the master of the house, or whether this is an instance of Jesus' supernatural knowledge of events. The manner of narration seems to imply that the Evangelists meant us to understand the latter."

46. Matthew XXVI : 18.

47. Gould ("Mark" XIV : 13) says: "There can be little doubt that the rest of the matter had been arranged with the host."

48. Matthew XXVI : 18.

49. Ex. XII : 8.

50. John XIII : 23-26.

51. Matthew XXVI : 25.

52. It is extremely difficult to understand why the writer of the Matthean Gospel was so unfaithful to his source, the Marcan Gospel. He not only invents details and accounts not contained in Mark, but he even contradicts Mark.

Luke (XXII : 23) simply states that "they enquired among themselves, which of them it was that should do this thing," but they asked for no information of their master. Wonderful harmony in divinely inspired records!

53. Plummer ("Luke" XXII : 22) says: "It is a part of the divine decree that the death of Christ should be accompanied by betrayal. [It would be interesting to know, by the way, where such divine will is recorded in the Scripture.]

"Although God knows from all eternity that Judas is the betrayer of Christ, *yet* this does not destroy the freedom or responsibility of Judas."

With such theological reasoning, Jews and Pilate, as well, are not exempt although they, too, were the instruments of the divine will. (See pp. 634-5, and Matthew, n. 134.)

54. Gould ("Mark" XIV : 22) says: "*And as they were eating*—In the course of the meal, therefore."

55. See pp. 352-4 where it is proven that the Nazarene and his disciples did have a paschal lamb for their Passover supper. It is true, however, as McNeile expresses it ("Matthew" XXVI : 19): "There is not a hint that a lamb formed part of the Last Supper."

56. See p. 352.

57. But see Luke XXII : 20 ff.

58. Luke differs with the other two Synoptists, and he adds (XXII : 19): "This do in remembrance of me." John omits the entire incident, because according to his version, the Last Supper was not a Passover supper.

59. A Christian author (Salmond, "Mark" XIV : 23) wonders at the vagueness of Mark's statement, and he asks: "Which cup?"

60. This is another example of vagueness of expression.

61. Plummer ("Luke" XXII : 17) explains: "The distribu-

tion would be made by each drinking in turn, than by each pouring some into a cup of his own." See pp. 355-6 where it is proven that it would be impossible for the disciples and Jesus to drink out of the same cup on Passover-eve.

62. Matthew XXVI : 27-28.

63. A learned author, McNeile ("Matthew" XXVI : 28), says: "The words were spoken during the distribution of the cup. Mark probably means the same, though he records them after the disciples had drunk." It is really difficult to follow such logic. If Matthew's Gospel is based on Mark's, why did the author of the Matthean Gospel see fit to alter Mark's statement and force the readers to surmise that Mark "probably means the same, though he records" differently?

From Luke's ambiguous statement of the incident (XXII : 20) it is difficult to ascertain whether Jesus' words were spoken before or after they drank the wine.

64. Matthew XXVI : 28.

65. Luke (XXII : 20) disagrees with both Matthew and Mark, quoting Jesus as saying to his disciples: "Which is shed for you," meaning naturally the disciples only. It is remarkable that the saintly reporters of this most important trial were so careless, inaccurate, and incompetent that they could not agree even about a vitally important statement supposed to have been made by their *Lord, The Son of God*.

66. Matthew XXVI : 29.

67. Nor does the third Synoptist include all the disciples in wine-drinking. He states (Luke XXII : 18) that Jesus said: "I will not drink of the fruit of the vine, until," etc.

68. See Matthew, n. 143, and Luke, n. 32.

69. Luke XXII : 24, 29-30.

70. John XII : 4 ff.

71. Luke XXII : 31.

72. It is strange that neither Luke (XXII : 31 ff.) nor John (XIII : 36 ff.) knows anything about this prediction of Jesus.

73. This contradiction cannot be reconciled by any of the Christian commentators. Gould ("Mark" XIV : 28) is forced to admit: "The fact that there is no appearance to the disciples in Galilee in Mark XVI : 9-20, in connection with this prediction, is one of the conclusive proofs that this passage is from another hand." (See Mark, n. 13.)

74. Luke XXII : 33.

75. John XIII : 36-37.

76. Matthew XXVI : 34.

77. Luke (XXII : 34, 60, 61) and John (XIII : 38; XVIII : 27) likewise speak of only one crowing of the cock.

78. That the three sleeping disciples could not have heard the exact words of their master's prayer is admitted even by Christian commentators. McNeile ("Matthew" XXVI : 39) says: "The Lord's words were not heard by the disciples, since they were asleep." The only conclusion one can arrive at is that they simply invented the prayer and attributed it to their lord.

79. Matthew XXVI : 42.

80. All commentators agree that the form of prayer as reported by Mark is not conditional as Matthew would have it, but based on certainty. McNeile ("Matthew" XXVI : 39) says: "Mark expresses the certainty that God *could* so, if He willed." Swete ("Mark" XIV : 36) states: "Seeing that nothing is *per se* impossible to the Father, He can pray, even on the eve of the Passion, that it might be averted. In perfect faith He believed that even now it is possible to defeat Judas and the Sanhedrin (Matthew XXVI : 53), to resist Pilate and the power of Rome (John XIX : 11), even to defy death (John X : 17); and He asks (but with a reservation which will immediately appear) for deliverance in whatever way."

The "Son" should have been familiar with his Father's attributes, even though Christian theologians are not, and he should have known that his Father would not alter His word, since He had destined His son to suffer crucifixion and death for the salvation of numberless sinful souls. The "Son" should have known that his Father would never change a decree of that nature. When monotheism was first introduced among the ancient Hebrews, it was believed that God's will was subject to change and regret, as has been recorded in Genesis (VI : 6, 7). However, as the idea of monotheism progressed, it became the accepted theory among the Jews, long before the time of the Nazarene, that "God is not a man that He should lie; neither is He *the son of man* that He should repent (Num. XXIII : 19). And again the prophet Samuel said to King Saul (I Sam. XV, 29): "And also the Glory of Israel will not lie nor repent; for He is not a man, that He should repent." (For a full discussion of this subject, see pp. 386-9.) How could Jesus, then, have uttered such a prayer? (See Luke, n. 77.)

81. See Matthew, notes 153, 154.

82. So Matthew XXVI : 43-44.

83. Matthew again disregards his source, the Marcan Gospel, and states (XXVI : 44) that Jesus prayed a third time.

84. It would seem that Matthew (XXVI : 45) intentionally omitted this ambiguous expression from the text. It is not exactly honest recording, but it is convenient.

Salmond ("Mark" XIV : 41) admits: "*It is enough*. Its point is by no means clear. It may refer to the Lord's ironical address . . . Or it may refer, as most take it, to the slumber of the disciples." Thus Christian theologians, to set aright wrongful descriptions of their lord by the ignorant Apostles, even resort to the thought that the "Son of God" was not really serious when he showed compassion for his disciples who fell asleep, and said to them (Mark XIV : 41): "Sleep on now, and take your rest." In the *Old Testament*, one cannot detect ironical expressions imputed to the Almighty, but in the New Testament, the "Son of the Father" is accused of not being serious but sarcastic in his utterances. Great conceptions of a deity!

Swete, too, expresses the same thought. He says ("Mark" XIV : 41): "The Lord did not hesitate to use irony when there was occasion for it . . . The question remains whether 'it is enough' refers to the sleep of the Apostles, or to the ironical reproof. The latter seems to be the better interpretation; the Lord breaks off the momentary play of irony—it is as He would say, 'this is no time for a lengthy exposure of the faults of friends; the enemy is at the gate.'"

What a chameleon series of changes in the Nazarene's disposition! Just a few minutes ago, his "soul was exceeding sorrowful, even unto death" (Matthew XXVI : 38; Mark XIV : 34), and he required the succor of a heavenly angel to strengthen him; and even that was of no avail, for he was in agony, "and his sweat was as it were great drops of blood falling to the ground" (Luke XXII : 43-44). Under these circumstances, he suddenly waxes ironical, but instantly changes back to gloom, sensing the arrival of the apprehending officers.

85. Matthew XVI : 16; Mark VIII : 29.

86. Plummer ("Matthew," p. 372) says: "'Let us be going' is ambiguous in English, and might be understood to mean, 'Let us fly from the peril,' which is not at all what is intended. The meaning is, 'Let us go to meet the peril' (John XVIII : 4). His hour is come, and he is anxious to fulfil all that is required of him. That charge which Celsus seems to have made that 'Jesus tried to escape by disgracefully concealing himself' (Orig. *Con. Cels.* II : 10), may have been based upon a misinterpretation of 'Let us be going' (Abbot, *Paradosis*, p. 157." (See also Swete, "Mark" XIV : 42, and Salmond, "Mark" XIV : 42.)

Did these authors forget their Gospels? They quote John to support their view that Jesus was a hero. In the first place, even John stated (VIII : 59) that on one occasion "they took up stones to cast at him: but Jesus hid himself, and went out of the temple, going through the midst of them, and so passed by." On another occasion John stated (X : 39): "Therefore they sought again to take him: but he escaped out of their hand." Can there be a better example of cowardice?

In the second place, it is true that John saw fit to omit the "agony in Gethsemane" because he thought it was unworthy of his lord. The three Synoptists, however, unanimously asserted that Jesus had been agonizingly unwilling to meet his fate, by their describing so vividly and minutely the scene of the Agony (Matthew XXVI : 37 ff.; Mark XIV : 33 ff.; Luke XXII : 43 ff. And what about his outcry of disappointment on the cross (Matthew XXVII : 46, 50; Mark XV : 34, 37)?

Now, what can be the connotation of the expression, "Let us be going?" Does it mean that he wished to run away, as he did on previous occasions, or did he wish to run to meet his fate? One could fill volumes upon volumes quoting such illogical explanations advanced by devout Christian authors.

87. Luke states (XXII : 52) that among the apprehending officers there were "chief priests, and captains of the temple, and elders."

88. John states (XVIII : 3) that there was a Roman cohort among the mob that came to apprehend Jesus. Not so according to the Synoptists.

89. Mark III : 7, 8; IV : 1; *a. fr.*

90. Mark XI : 8-10.

91. See Matthew, n. 162.

92. Swete ("Mark" XIV : 44) states: "A kiss, the customary mode of saluting a Rabbi (See Wuensche, p. 399)." Salmond ("Mark" XIV : 44) says: "The concerted signal was the usual salute given a Rabbi—a kiss." There was no such custom among the Jews. Disciples did not meet their Rabbis with a kiss, but Rabbis upon occasion did kiss their disciples as a token of affection (Babli, Hagigah 14b; Nazir 29b).

93. According to Matthew (XXVI : 49), Judas said to his lord: "Hail, master." One wonders which of the two versions is the correct one. There can be only one true quotation and not two.

94. Matthew, XVI : 50.

95. It is strange that Matthew (XXVI : 50) knows better

and he reports that Jesus did say, "Friend," etc., although it is not to be found in the Marcan source. How did he come to discover or invent it?

96. Luke XXII : 48.

97. John XVIII : 4-8.

98. John XVIII : 10-11.

99. Mishnah, Shabbat VI : 4, reads: "The carrying of swords on the Sabbath is forbidden." And the law is laid down again (Ex. XII : 16; Mishnah, Betzah [or Yom Tob] V : 2) that whatever is forbidden to be done on the Sabbath is likewise forbidden on a Festival, "except what is needed in the preparation of food." (See Matthew, n. 160.)

100. But Christian commentators seem to know the reason why Peter was able to escape the officers. Westcott, for instance, says ("John" XVIII : 10): "And further, it is difficult not to feel that the healing of the wound, recorded by St. Luke (XXII : 51), helps explain the Apostle's escape from arrest." Perhaps, Peter might have escaped an arrest according to Luke's miracle of the healing of the ear by Jesus. But the question is, how could Peter have escaped according to his own version, when he knows nothing about the Lucan miracle, and the ear remained severed!

101. Neither Matthew (XXVI : 51-52) nor Mark corroborates Luke's report (XXII : 51) that Jesus touched the wounded ear of the high priest's servant and healed it.

102. Luke (XXII : 49-50, 54) and John (XVIII : 10, 12) report that Peter cut off the ear of the servant "before" the arrest.

103. Matthew XXVI : 52.

104. Matthew XXVI : 53-54.

105. Luke XXII : 51, imputes such saying to Jesus.

106. According to John (XVIII : 11), Jesus made such a statement to Peter.

107. Luke (XXII : 49) reports that the disciples asked such question of their master.

108. According to the three Synoptists, Jesus had kept away from Jerusalem from the time they sought to apprehend him. He came to Jerusalem only a few days before the Passover, riding on an ass. Hence, he could not have been preaching many days in the Temple before the arrest. John expressly states (XI : 54): "Jesus therefore walked no more openly among the Jews." Plummer ("Mark" XIV : 49) comments: "Daily since His last arrival in the city He had lived in public." McNeile ("Matthew" XXVI : 55) says: "And though the Gospels relate no public appearance on the last two days, the words imply it." This author

wishes to imply a fact contrary to express statements made by the same Gospels.

109. See Matthew, n. 168.

110. This reason for their fleeing is advanced by many Christian commentators. Gould, for instance, explains ("Mark" XIV : 50): "But doubt removes courage; the disciples fled because their faith wavered."

111. Swete ("Mark" XIV : 54) says: "He (Peter) followed the party, but at a safe distance." (See Mark, n. 117.)

112. Matthew XVI : 18.

113. Farrar ("The Life of Christ," Vol. II, p. 324) says: "At that supreme moment only the unknown youth—perhaps the owner of Gethsemane, perhaps St. Mark the Evangelist, perhaps Lazarus the brother of Martha and Mary—ventured in his intense excitement, to hover on the outskirts of the hostile crowd." Of course, it is quite difficult to explain why this author picked on one of those three to be the poor youth.

It is remarkable, indeed, that Matthew, who likes to record details, omitted the dramatic scene of the naked young man. He probably never heard of it. This is admitted even by a devout Christian commentator. Swete ("Mark" XIV : 52) says: "That the incident was drawn by Mark from his own recollection or from his stores of local knowledge may be regarded as certain; it formed no part of the common tradition (as we may assume) of St. Peter's preaching."

But Mark's private stock of information does not seem to be very reliable; in fact, it sounds illogical. The question is, why did the officers wish to arrest this young man? Was it merely because he dared follow the procession and they took him to be one of the prisoner's sympathisers? Why, then, did they fail to arrest the entire group of Jesus' disciples who actually were together with him at the time of the arrest?

114. Such is the interpretation of the Marcan text by Christian commentators. McNeile ("Matthew" XXVI : 57) says: "In Mark the whole Sanhedrin, 'high priests, elders and scribes,' collect after the prisoner's arrival." Swete ("Mark" XIV : 53) states: "Mark pictures the assembly as flocking to the palace, Matthew represents them as already in session when Jesus arrived."

115. Some Christian authors in emphasizing the Sanhedrists' anxiety to put Jesus on trial, ridicule the way in which the Sanhedrists rushed about during the night of the first day of Passover to rouse the judges and the witnesses from their beds. This ridicule, however, ought to be directed not at the Great Sanhedrin

but at those who concocted so foolish and unbelievable a tale.

116. Matthew XXVI : 58.

117. Plummer ("John" XVIII : 17) explains: " 'To see the end' (Matthew XXVI : 58) rather out of curiosity than out of love."

118. A Christian author, voicing the opinion of many other commentators, describes the scene vividly. Swete ("Mark" XIV : 55) says: "While Peter sits in the court, the Lord is standing in one of the chambers above (v. 66) before His judges."

119. See Matthew, n. 174.

120. The writer of the Matthean Gospel, however, in his intense anxiety to condemn the Jews and their leaders, emphasizes (Matthew XXVI : 59) that the members of the Sanhedrin were specifically looking for false witness, that is, they were anxious to obtain false witnesses in preference to true ones. But his source, the Marcan Gospel, does not state that at all. (See Matthew, n. 183.)

121. Mishnah, Sanhedrin V : 1-4.

122. Matthew XXVI : 60-61.

123. Matthew XXVI : 61-62.

124. See p. 442.

125. This Apostle emphatically states that "all the chief priests and the elders and the scribes" had been assembled there. (See Mark, n. 134, and Summations, n. 9.)

126. See pp. 368-9 where it is proven that "son of the blessed" is a meaningless term in Hebrew, and therefore could not have been used by the high priest. (See also pp. 364-8.)

127. Matthew XXVI : 63.

128. Exodus XX : 16; Deut. V : 17.

129. Leviticus XIX : 12; Mishnah, Shebuot IV : 13.

130. Matthew XXVI : 64.

131. Allen ("Matthew" XXVI : 25) admits that "the clause 'thou hast said it' is an evasive and ambiguous affirmation." Dr. Thayer (in the "Journal of Biblical Literature," XIII : p. 40 ff.) proves that the balance of ancient opinion is against the view that it is to be regarded as an idiomatic affirmation. (See Matthew, n. 21.)

132. St. Matthew testified (XXVI : 64) that the Nazarene said: "Hereafter shall ye see the son of man," etc. "Hereafter" is interpreted by Christian commentators to mean, soon. As Carr ("Matthew" XXVI : 64) puts it: "'Hereafter' is used here with the implication that the occasion spoken of will be soon: very soon now there will be no need to put such a question, for all will

see the son of man for themselves." Gould ("Mark" XIV : 62) remarks: "Matthew adds *from this very time on*; and with this addition, it points evidently to earthly evidence of this heavenly kingdom. They were to see with their own eyes the advancing kingdom of the son of man in the world." Does this author see it in the twentieth century?

See pp. 436-40 where it is proven that according to the principles of Jewish jurisprudence, Jesus could have been convicted of the capital offense of false prophecy, because his prophecy was not fulfilled, as not one of the Judges lived to see its fulfilment.

133. See p. 444, Sect. 6, for the statement of law that a unanimous decision of guilt is invalid.

134. Swete ("Mark" XIV : 64) explains: "All who were present; those who, like Joseph (Luke XXIII : 51) and Nicodemus (John VII : 50 ff.), who were opposed to the whole plot against Jesus, would not have been summoned to this meeting." It would be interesting to know how those authors, who claim that these good members of the Sanhedrin were absent, would explain away the Marcan text (XIV : 53) where it is expressly stated that "all the chief priests and the elders and the scribes" were present? Or how would they explain away Matthew's "the chief priests, and elders, and all the council" (XXVI : 59)?

Plummer ("Mark" XIV : 64) admits that the Marcan "all" is doubtful, and he therefore states: "It is not likely that either Nicodemus or Joseph of Arimathaea was at the nocturnal meeting." This author, however, finds relief in the fact that "Matthew omits the doubtful 'all.'" But if the Marcan Gospel purports to record facts and not mere fictions, what right did the writer of the Matthean Gospel have to alter the Marcan text? (See Matthew, n. 176, Summations n. 9, and pp. 558-9.)

135. Plummer ("Mark" XIV : 65) comments : "This, in contrast with the preceding 'all,' must mean some members of the Sanhedrin. That Roman soldiers should be guilty of this brutality (XV : 19) is not wonderful; but that members of the supreme ecclesiastical court should exhibit their malignity in this way shows the temper in which they had come to try their Prisoner." Does it not occur to this author that the absurdity of this account shows not the "temper of the judges" but the untruthfulness of the narrative? (See pp. 563-5 for a full discussion of this alleged spitting incident.)

136. Matthew XXVI : 69.

137. See Matthew, n. 202.

138. Some commentators (Farrar, "Luke" XXII : 55; and

others) maintain that Peter "sat among the servants of the high priests—sat in the middle of the group composed of the very men who had just been engaged more or less directly in the arrest of the Lord. It was most unwise for a man of his temperament."

According to Matthew (XXVI : 69) and Peter himself (Mark XIV : 66), however, Peter was actually wise and he knew that it would be dangerous to mingle with the officers. They state that he was either beneath or without somewhere in the palace, where the slave-girls of the high priest were, and one of them recognized him (see Matthew, n. 203). According to those two Evangelists, the first two identifications of Peter were made by a servant girl, "one of the high priest's domestics," as Swete ("Mark" XIV : 66, 67) puts it, and none of the officers of the arresting party had anything to do with it. (See Matthew, n. 202.) But this is the way Christian commentators, as a rule, treat their subjects: they lay stress upon a certain detail told by one Gospel-writer which is to their liking, and conveniently forget that this very interesting detail is denied by the other Gospel-writers.

139. Luke XXII : 55 ff. says that Peter was "in the middle of the hall."

140. See John XVIII : 15-16.

141. See Mark, n. 23.

142. Matthew XXVI : 71.

143. Matthew XXVI : 72.

144. Luke (XXII : 58) states that the second identification was made by a man.

145. John (XVIII : 25) says that it was made by men.

146. According to John (XVIII : 26), the third identification was made by one man, "being the kinsman whose ear Peter cut off."

147. Swete ("Mark" XIV : 71) comments: "Peter, growing desperate as he sees the meshes closing around him, invokes an anathema on himself if his denials are false." (See Matthew, n. 55.)

148. Matthew XXVI : 74.

149. Luke (XXII : 61) testifies: "The Lord turned around and looked upon Peter." (See Luke, n. 135.)

150. Mark I, 30-31; Mathew VIII : 14-15; Luke IV : 38-39.

151. Mark VIII : 31, 33; Matthew XVI : 21, 23.

152. Mark IX : 1-10; Matthew XVII : 1-6; Luke IX : 28-33.

153. Mark VIII : 29; Matthew XVI; 16; Luke IX; 20.

154. Matthew XVI : 18,19; XIV : 28-29.

155. Leviticus XIX : 11.

156. Ex. XX : 7; Lev. XIX : 12; Deut. V : 11.

157. Matthew V : 34.

158. Gould ("Mark" XIV : 72) comments: "Peter had lost his faith for the time, but that was no reason why he should lose his courage and honesty. But his courage was supported by his faith, and fell with it. Why should he run any risks for a hope that had failed him?" But Peter's honesty was not supported by his faith. Why did he lose that? (See Summations, n. 16.)

159. There can be no doubt that this meeting, if it was held at all, was held primarily to decide on a plan of action before Pilate. See pages 444-7 where it is conclusively proven that the main trial by the Sanhedrin must have been held during the night, if we are to accept the Matthean and Marcan versions. Luke, however, makes no mention at all of the night proceedings, and he states that the trial before the Sanhedrin took place in the morning.

McNeile ("Matthew" XXVII : 1) comments: "In Mark the entire Sanhedrin (described with emphatic fulness) meet, only to bind Jesus and take Him to Pilate. . . There was no reason whatever for a second trial."

160. Acts I : 15-19.

161. Matthew XXVII : 3-8.

162. Some Christian authors, in their desperate attempt to reconcile this discrepancy, advance a very anomalous theory, based on Papias' explanation, and followed by many modern authors (Farrar, "Life of Christ," Vol. II, p. 358), that the traitor first hanged himself as Matthew relates, but the rope (or "the branch," Farrar) breaking, he lived for some time, and at length swelled so much as to burst in the middle. Logical conclusions.

163. So Matthew XXI : 1-9; Luke XIX : 29-38; John XII : 12-15.

164. See pp. 459-60 where this contention is proved.

165. This is another one of those vague, meaningless expressions employed by the Gospel-writers.

166. Luke XXIII : 2, asserted this.

167. But see John XIX : 10. See also Matthew, n. 218.

168. Matthew XXVII : 17, 22.

169. "Christ" is a term equivalent to the Hebrew word "moshiah," anointed. The "moshiah," Messiah, that had been expected by the Jewish people, at the time of the Nazarene, was one to be anointed by God, for the purpose of bringing them salvation from the intolerable Roman yoke, and to free them from exile. Also, this Messiah was to bring together the Jewish

people from the four corners of the earth and resettle them permanently in their chosen land. (See pp. 364 ff., and 633.)

Jesus, however, never claimed to be the Messiah, the one anointed by God to bring salvation to the suffering Jewish people and redeem them from the tyranny of Rome. He never spoke or even hinted to his compatriots that he would help them break away from the Roman rule either by insurrection or otherwise. On the contrary, with regard to the payment of taxes to the Romans, he said (Matthew XXII : 21; Mark XII : 17): "Render therefore unto Caesar the things which are Caesar's."

If, therefore, Pilate referred to Jesus as "Christ," as claimed by Matthew, he could only have been alluding to the concept of "sonship," a concept which certainly could not be defined or even understood by the heathen Roman governor. (For that matter, this term could not be exactly defined even by the Christian theologians.) If Jesus' claim was thus to be understood as one to a spiritual realm, it could not be considered treason. At worst, Pilate should have declared the Nazarene insane for dreaming of a non-existent kingdom.

However, the writer of the Marcan Gospel contends that Pilate referred to the Nazarene as "king of the Jews," meaning a ruler of a people that really existed in the flesh, not merely as a "Christ" in a mythological sense, a savior of souls. Pilate spoke of the Nazarene as "king of the Jews," in spite of his Emperor's will to the contrary. Judea, as a subdued land, had no right to select a king. This was the sole prerogative of Rome. If, then, in Pilate's opinion the prisoner before him laid claim to the Judean crown, he was committing treason against the Roman Emperor, a grave charge which the local authorities could not condone without being guilty themselves of the offense of treason. (See John XIX : 12-13.)

The terms therefore used by the two Evangelists are not at all synonymous, but rather contradictory from a legal point of view. And in recording a trial, supposed to have been held before a competent tribunal, one should regard legal and not mythological points of view.

170. A modern author would have us believe that the Roman pagan had some sort of an intuition. Swete ("Mark" XV : 10) says: "and this knowledge (of envy) was partly intuitive, partly due to impressions left on Pilate by their conduct." Well, if we are to believe the Apostles' version describing the conduct of the great Jewish jurists before Pilate, then the Roman governor

should have imputed idiocy and not envy to the accusers of the Nazarene.

171. Swete ("Mark" XV : 9) remarks: "The cynicism of the Roman finds pleasure in connecting the title with this harmless dreamer, as he considers Jesus to be." If we are to put any credence at all in the Johannine version (John XIX : 1 ff.) describing the cruelty of Pilate towards Jesus, then the Roman judge did not consider Jesus a "harmless dreamer," but a dangerous, claimant to the crown of Judea.

172. Matthew XXVII : 19.

173. This detail is peculiar with Matthew; no other Evangelist mentions it. (See Matthew, n. 228.)

174. Matthew XXVII : 21.

175. Matthew XXVII : 22.

176. See Matthew, n. 242.

177. Matthew XXVII : 24-25.

178. Matthew XXVII : 4.

179. Luke XXIII : 4, 14; John XVIII : 38; XIX : 4, 6.

180. Luke XXIII : 7-12.

181. John XIX : 1.

182. John XIX : 2-5.

183. John XIX : 14.

184. Mark XV, 25.

185. Swete ("Mark" XV : 15) says: "The Lord is now delivered to the soldiers, whose business it is to execute the sentence, or from another point of view to the Priests and people (John XIX : 16-17)." But this is sophistry: "facts" are not "points of view!" Unless this author means that from the point of view of the intense Jew-hater, the Johannine text, which is in conflict with the other Gospel-texts, may be interpreted to mean that Pilate delivered Jesus to the Jews to be crucified! But according to the principles of Roman law, Jewish law, and common sense, the Johannine text, although not very clear, cannot be interpreted to satisfy the Jew-haters. (See John, n. 27.)

186. Commentators do not seem to know the exact site of the Praetorium, or the judgment hall of the Roman Procurator. Ederheim ("Life and Times of Jesus the Messiah," Vol. II, p. 506) states: "Although it is impossible to speak with certainty, the balance of probability is entirely in favor of the view that, when Pilate was in Jerusalem with his wife, he occupied the truly royal palace of Herod, and not the barracks of Antonio." Such is also the opinion of Ewing "Hastings Dictionary of the Bible," art. "Praetorium").

Plummer ("Luke" XXII : 1-7), among others, admits: "Pilate insists on trying the case himself. This he does in the Praetorium or palace. But we do not know where it was."

187. That the Praetorium was the place where Pilate held his court, there can be no doubt. What, then, does the expression "led him away into the hall, called Praetorium" mean, unless we conclude that the scourging was done elsewhere? At any rate, the entire affair is unintelligible.

188. Swete ("Mark" XV : 16) says: "The strength of the cohort varied with that of the legion, but it would in any case reach several hundreds."

189. It is difficult to understand why the writer of the Matthean Gospel (XXVII : 28) saw fit to change Mark's color of the robe to scarlet.

190. Swete ("Mark" XV : 17) explains it thus: "The cloak of one of the soldiers, possibly a cast off and faded rag, but with colour enough left in it to suggest the royal purple." But the question remains, what made the soldier bring to the Praetorium a "cast off cloak, a faded rag"?

As for the wreath, Swete goes on to explain: "The wreath which they plaited was of thorns, i. e. composed of twigs broken off from some thorny plant which grew on waste ground hard by." No thorns could have grown near the palace of Herod the Great which was situated in the most exclusive part of the city.

191. Matthew XXVII : 29.

192. It is inexplicable why the soldiers should have selected a reed with which to strike Jesus, and where they obtained the reed from. In the Matthean version, the soldiers smote Jesus with the reed which they had placed in his hands as a mock sceptre, but the Marcan text makes no mention of the mock-sceptre. But why a reed in the first place?

It is clear from the story of the reed that the one who wrote this part of the Marcan text knew of the Matthean Gospel, and he simply made a crude attempt to reconcile the two narratives. He mentioned a reed to conform somewhat with the Matthean Gospel. This is an added proof that the Marcan Gospel was not written by one hand.

193. Matthew XXVII : 30.

194. Definition of "worship" by Webster's "New International Dictionary," "Transitive, v. 2, To pay divine homage."

195. Matthew XXVII : 27-31.

196. Ex. XII : 16; Lev. XXIII : 7; Num. XXVIII : 18. Luke (XXIII : 26) likewise states that Simon was coming "from

the country," which is generally interpreted to mean that he was returning to the city from his work in the field. Husband ("The Prosecution of Jesus," pp. 42-43, says: "How can this be possible for a Jew to do work in the field on the Passover which is an express violation of the Mosaic Law?" (See pp. 601-2 for a further discussion of the subject.) Many Christian commentators advance this argument to prove that the statement of the three Synoptists is incorrect, when they say that the trial and crucifixion took place on the first day of Passover. The fact that Simon came home from his work in the field, they contend, proves conclusively that John's statement is correct, that the trial and crucifixion took place on the day before Passover.

But what about these three Evangelists contradicting themselves? For it is only they who mention Simon's coming home from the field and not John. The Johannine Gospel does not mention Simon at all.

197. See pages 474-5 and Luke, n. 186.

198. Matthew XXVII : 34. Swete ("Mark" XV : 23) says: "Matthew describes the potion perhaps with a mental reference to Ps. LXVIII : 22, Lam. III : 15." So, according to this author, his saintly Apostle St. Matthew just changed the Marcan potion, which perhaps was the true one, into a potion to conform with the Biblical potion. Did Matthew, then, tell an untruth?

199. See Matthew, n. 258.

200. Thus speaks the warped logic of a Jew-hater: "The work was done by the soldiers on duty (John XIX : 23), but the guilt lay at the door of the Jewish people (Acts II : 23, 26)" (Swete, "Mark" XV : 24). (See Mark, n. 185; John, n. 131.) Is it to be wondered, then, that the Christians hate the Jews, when they are led by such spiritual leaders?

201. See John, n. 216.

202. Matthew XXVII : 37.

203. Swete ("Mark" XV : 26) admits: "The text of the inscription as given by the Evangelists varies remarkably. . . and we accept the evidence of St. John, who saw the *titulus*." Now, in the first place, there is no evidence to prove that the unnamed disciple standing at the cross was St. John. Secondly, what right has any devout Christian to reject statements made in the Gospels!

204. See Matthew, n. 260.

205. It is worth while to note the conception of a modern Christian author, concerning the Jewish jurists and aristocracy. Swete ("Mark" XV : 31) remarks, somewhat angrily: "The Sanhedrists condescended to share the savage sport of the popu-

lace; members of the priestly aristocracy were seen in company with scribes and elders (Matthew) deriding the Sufferer." But this shocking statement is too unbelievable even for this author himself. And so he hastens to add: "Not indeed directly addressing Him, or mingling with the crowd, but remarking to one another on His inability to save himself."

Salmond, too, explains it in the same vein ("Mark" XV : 31): "They too joined in the mockery, not with the crowd, indeed, but passing their jeers from mouth to mouth among themselves."

Aside from the self-evident absurdity of their statements, these authors should be called upon to explain how the Gospel-writers were able to record the exact words of the Jewish leaders, if they merely expressed their views among themselves.

206. Matthew XXVII : 43.

207. Luke (XXIII : 39 ff.) states that only one of the thieves reviled Jesus while the other repented. (See Luke, n. 201.)

208. See Luke, n. 208.

209. Matthew XXVII, 46.

210. Gould ("Mark" XV : 34) comments: "'Eloi' is the Syriac form of the Hebrew 'Eli.' 'Sabachthani' is the Chaldaic form for the Hebrew 'Azabtani.'" Does this author wish to tell us that Jesus quoted a Biblical verse in polygot? It is conceivable that the "Son of God," who knew so many languages (even Greek, according to Plummer—(Expert Opinion n. 63), did not know enough of his own language to quote a simple Biblical verse in Hebrew! (For a full discussion of this subject, see pp. 505-8.)

211. Gould ("Mark" XV : 34) says: "This complaint of God's desertion falls in line with the prayer at Gethsemane, 'remove this cup from me,' and became a question, while the cup is at his lips, why it was not removed." In other words, it is a continuation of Jesus' complaint against his Father for choosing such a horrible fate for him.

212. Mark VIII : 31-33; X : 32-34; XIV : 36.

213. Matthew XXVII : 49.

214. John (XIX : 20) states that Jesus received the vinegar, which means that he drank it, and said, "it is enough."

215. Luke (XXIII : 46) testified to that effect.

216. Matthew XXVII : 51-53.

217. A Christian commentator (Balmforth, "Luke" XXIII : 44-45) reluctantly admits: "The darkness is probably historical and explicable by natural causes; but the rending of the veil (and we may add the earthquake and resurrection of saints in Matthew)

may be symbolic details added later, owing to the universal belief in antiquity that great historical events are accompanied by portents in nature." (See Summations, n. 31.)

218. Matthew XVI : 18, 19.

219. Plummer ("Matthew," p. 403) says: "According to Mark, the exclamation of the centurion was caused simply by the way in which Christ gave up his ghost. Would the loud voice suffice to convince the Roman officer that this was not only an innocent, but a supernatural person?"

McNeile ("Matthew" XXVII : 52) remarks: "But in Mark the only portent is the rending of the veil, of which the centurion could not have known when he spoke." And he adds (*l. c.* verse 54): "Mark and apparently Luke refer to the Lord's sudden death. But this in itself would hardly account for the centurion's words. Most manuscripts read as though referring to the loudness of the cry from one at the verge of death. But this is scarcely less difficult. The narrative of Mark, Luke remains an unsolved mystery."

Both the Matthean (XXVII : 54) and the Marcan Gospels claim that the centurion said of Jesus that he was "the son of God," which would mean that the pagan centurion acknowledged that Jesus was the Jewish Messiah. But no such thought could ever have entered the mind of a Roman pagan.

In the mouth of a pagan centurion, the expression "son of God" could only have been idolatrous. It could not have had the significance that was later attached to it by Christian theologians. To the centurion, the Nazarene would have been just another of his many Roman gods who were descendants or offspring of other gods, another idol in his pagan circus of gods.

McNeile ("Matthew" XXVII : 54 says: "In the mouth of a pagan the words probably mean 'a superhuman person,' a hero."

Gould ("Mark" XV : 39) states: "The portent(s) accompanying the death of Jesus convinced the centurion that he was not *the Son of God*, but *a son of God*, a hero."

Farrar ("Luke" XXIII : 47) reluctantly admits: "The latter phrase (the Son of God) sounds at first incongruous in the lips of a heathen." (See also Swete, "Mark" XV : 39.)

220. Matthew XXVII : 54.

221. See Matthew, n. 285.

222. This would prove that the writer of this Marcan text knew the Lucan Gospel. (See Matthew, n. 286.)

223. Matthew XXVII : 56. In the Marcan text, Salome is

mentioned without any description, as though she was a known personality. But even to this day it cannot be ascertained who this Salome was. (See W. F. Boyd, in Hastings "Dictionary of the Bible," art. "Salome.")

224. "Can there any good thing come out of Galilee," or "Nazareth?" was a byword known throughout Judea at that time (John I : 46; VII : 41, 52). (See pp. 635-6, and Summations, n. 49.)

225. So recorded by Luke (XXIII : 27 ff.).

226. John XIX : 31 ff.; 34.

227. Gould ("Mark" XV : 43), and Farrar ("Luke" XXIII : 50), "A counselor—i. e. a member of the Sanhedrin," so Plummer ("Luke" XXIII : 50).

228. Gould ("Mark" XV : 43) says: "This language is inconsistent with the supposition that this account regards him as a disciple of Jesus. It evidently means that he was in sympathy with the disciples in this element of their faith. He was not a follower of Jesus, but in common with him he was awaiting the kingdom of God, he wished to do honor to one who had suffered in its behalf." (See Luke, n. 228.)

229. Matthew XXVII : 57.

230. Farrar ("Luke" XXIII : 52) says: "This was a bold and might even have proved to be a perilous request. Hence 'the boldly' of Mark XV : 43."

231. Swete ("Mark" XV : 45) says: "The centurion had returned to head-quarters and was able to report the fact."

232. Allen ("Matthew" XXVII : 62-66) states: "The burial with the prior arrangements can hardly have been completed before the Sabbath entered, and since it was the preparation seems to be unmotivated."

233. McNeile ("Matthew" XXVI : 17) advances six reasons why the Johannine and not the Synoptic chronology should be accepted. The fifth reason is: "No Jew would carry arms on the festival, nor would Joseph have bought linen." (See Summations, n. 37)¹

234. See p. 384, where it is proven that, according to Jewish law, no burial could have taken place on a Festival.

235. It is difficult to explain why the writer of the Matthean Gospel deemed it advisable to omit this conversation between Joseph of Arimathaea and Pilate. He simply states that Pilate, at the request of Joseph, commanded that the body be delivered to him (Matthew XXVII : 58).

236. So Matthew and Luke. John (XIX : 39), however,

says that Nicodemus was with Joseph.

237. Matthew (XXVII : 62-66).

238. McNeile ("Matthew" XXVI : 12) comments: "The anointing of the body at burial, as distinct from placing the spices in the grave-clothes, was unknown to Israel," quoting Preuschen ("Zeitschrift f. die neutestamentischen Wissenschaft," 1902, p. 225 f.). But there was no such custom in Israel to put spices even in grave-clothes. (See John, n. 39.)

Gould ("Mark" XVI : 1) says: "The process was not embalming, which was unknown to the Jews, but simply an anointing." But even an anointing after burial was unknown to the Jews.

239. Matthew XXVII : 1.

240. See John, n. 251.

241. It is so surmised by Swete ("Mark" XV : 47): "The Magdalene and the other Mary (v. 40) had remained on the spot, and were watching the actions of Joseph and Nicodemus."

242. Swete ("Mark" XVI : 1) has no difficulty in reconciling incongruities. He says: "They had probably seen Joseph and Nicodemus use spices freely in the process of wrapping it for burial (John XIX : 40), but they desired to add more externally, and to apply fragrant oils." There is not a hint anywhere in the Gospels that the women had fragrant oils or that they wished to use spices externally. But it is perfectly justifiable for a Christian author to surmise things, to use his imagination and consider it as Gospel truth.

243. And Swete ("Mark" XVI : 2) easily overcomes this contradiction of time. He says: "It is better to regard Mark's note as a compressed statement of two facts; the two women started just before daybreak and arrived just after sunrise." A careful reading of the Marcan text would not warrant such far-fetched interpretation.

244. Matthew XXVIII : 1.

245. Matthew XXVIII : 2-3.

246. Luke (XXIV : 4) claims that there were two angels who appeared to the women, not on their entrance into the tomb, but while they were perplexed at not finding the body of the Nazarene. John tells a completely different story. He states (XX : 1-4) that only one woman, Mary Magdalene, came to the sepulchre, but did not enter when she saw that the stone had been rolled away. Instead, she went to Peter and John, who came immediately to Golgotha and found the tomb empty. Mary Magdalene later returned to the sepulchre and found two angels there.

Thereafter Jesus himself addressed her.

247. Matthew XXVIII : 4.

248. Matthew XXVIII : 8.

249. It was so stated by Luke (XXIV : 12).

250. It would seem probable that with verse 9 of this chapter in the Marcan Gospel, an entirely new account of the appearances begins. This tells of three appearances, the first of which was made to Mary Magdalene. It has no connection whatsoever with the one given in the same chapter, verses 1-8. Otherwise these two accounts cannot be reconciled.

The first tradition tells that early Sunday morning Mary Magdalene with other women visited the sepulchre and were told by an angel that they should announce the resurrection to the disciples, and that they would be met by Jesus in Galilee. But they were frightened and fled from the sepulchre, mentioning their experience to no one.

The second tradition, verses 9-14, tells that early Sunday morning Jesus appeared to Mary Magdalene only; that he said nothing to her, but that she, of her volition, informed the disciples of Jesus' appearance.

251. Gould ("Mark," Appendix, p. 304) claims that the appearance was made to Mary Magdalene on the day of resurrection near the tomb. But the Marcan Gospel at no time mentioned that Mary had returned to the tomb after being frightened away by the angel (verse 8). It is difficult to ascertain where this author obtained his information that Mary was near the tomb.

Besides, the first appearance of Jesus, according to Matthew (XXVIII : 9) was made to two women when they were on their way to report to the disciples and not near the tomb. According to Luke (XXIV : 13), the first appearance was made to two disciples on their way to Emmaus. John says (XX : 14) that the first appearance was made to Mary Magdalene near the tomb. But that could not have been early in the morning as averred by Mark (verse 9), as John states that Mary first went to the city to inform Peter and John, and only afterwards returned to the sepulchre.

252. According to John (XX : 15-16), Mary failed to recognize Jesus even after he had some conversation with her. It was only after he had called her "Mary" that she recognized him. And this Apostle wishes to tell us that she recognized Jesus by merely seeing an apparition.

253. So recorded by John XX : 16-17.

254. Matthew XXVIII : 9-10.

255. Mark VIII : 31; IX, 31; X, 33-34.

256. Matthew XXVIII : 16, claims that the message was acted upon. Mark states that the disciples did not believe the one woman with the seven devils. Luke (XXIV : 11) agrees with Mark that the disciples did not believe the tale.

257. Matthew XXVIII : 11-15.

258. This is the only import this phrase (in another form) can have.

259. Jesus acted like that also when he appeared to two disciples on their way to Emmaus (Luke XXIV : 15ff.), and when he appeared to seven on the shore of the sea of Tiberias. (John XXI : 1ff.).

Matthew does not corroborate Mark's story that the Nazarene appeared in another form to two of the twelve disciples. If Mark's account is true, Matthew would have known of it, for Mark expressly says that the two disciples reported the incident to the others, including Matthew.

260. Mark XIV : 28.

261. According to John, however, Jesus did not appear to all the eleven, as Thomas was not present (XX : 24ff.). (See Luke, n. 258.)

262. Matthew XXVIII : 16.

263. The Synoptists do not know of the appearance of Jesus to all the disciples eight days after, as told by John (XX : 26ff.).

264. Peter, who dictated the Marcan Gospel, does not seem to know of the incident told by John (XXI : 1ff.) even though it concerns him directly.

265. Matthew XXVIII : 18.

266. Matthew XXVII : 72, 74.

267. Matthew XXVI : 56; Mark XIV, 50.

268. John (XXI : 1ff.) states that Jesus spoke his last words at the sea of Tiberias.

269. Matthew XXVIII : 16-20.

270. Luke also says (XXIV : 47-49) that these instructions were given in Jerusalem, but that the farewell took place in Bethany (*l. c.* 50, 51). Matthew, however, states (XXVIII : 16-20) that these last words of Jesus were spoken on a mountain in Galilee. What inspired harmony!

271. Matthew XXVIII, 18-20.

272. Gould ("Mark" XVI, 19) explains: "*After speaking to them.* This can refer only to the words spoken by our Lord at the supper in Jerusalem. . . The ascension therefore, according to this, was on the evening after the resurrection. So Luke." (See

Luke n. 264.) This contradicts the statement made by John (XX : 26) that Jesus appeared to his disciples eight days after his appearance to them in Jerusalem (John XX : 19ff.), and then at the sea of Tiberias (XXI : 1ff.).

273. Luke, the only Evangelist corroborating the ascension, states (XXIV : 50) that it took place in Bethany.

274. A Christian author (Gould, "Mark" XVI : 19) admits: "This belongs to the creed not to history."

275. It is surprising that Matthew, who was supposed to have had the Marcan Gospel as his source, makes no mention of such an important account as the Ascension. Why did he see fit to omit it? Is it possible that it was a later addition which Matthew did not see? Neither does John mention the Ascension. These omissions are especially remarkable since, according to the Marcan text, all the disciples saw the miracle with their own eyes.

The Lucan Gospel likewise speaks (XXIV : 51) of Jesus' having been "carried up to heaven." There can be no doubt that both the Marcan and Lucan texts convey the thought that the Ascension took place on the evening after the resurrection (note 272, *ante*). This directly conflicts with Luke's own statement (Acts I : 2, 3) that Jesus after the resurrection showed himself alive to his disciples for forty days.

The conflicting texts indicate beyond all doubt that the story of the ascension is a mere myth. The first Christians could not have their lord return to his grave after his resurrection, so they invented an Ascension similar to that of the Prophet Elijah (II Kings II: 11).

Notes and Comments

LUKE

1. Colossian IV : 14. Maclean, in Hastings, "Dictionary of the Bible," art. "Luke."

2. Maclean, in Hastings, "Dictionary of the Bible," art. "Luke, Gospel According to," Sect. 3, "The Sources."

3. All the Synoptists relate this agreement between Judas and the chief priests. But as Farrar ("Luke" XXII, 5) remarks: "St. Luke—*covenanted*; Mark *promised*; Matthew *paid* or *weighed* the money." Interesting variations on a single theme!

4. The only reference in the New Testament to Jesus' appearance to Simon Peter is the one contained in I Cor. XV : 5, where it is stated: "And that he was seen of Cephas (Rock, Peter), then of the twelve." As the Gospel writers record no such appearance, there can be no doubt that this had been one of the circulating myths among the early Christians.

5. See notes 1 and 2, *ante*.

6. This clearly indicates that this part of the Lucan Gospel was written at the time when the Jewish Spring Festival was already popularly known as "Passover" and not by the official name of "Unleavened Bread," and this could not have been before the end of the first century. (See pp. 327-8.)

7. Matthew alone attributes (XXVI, 2) this statement to the Nazarene at this time. It is difficult to explain where the writer of the Matthean Gospel obtained this information.

8. This, too, is exclusive with Matthew (XXVI, 3). According to the Marcan Gospel, there was no assembly held in the palace of the high priest on this occasion (XIV, 1-2).

9. It is doubtful whether this story in Luke is the same as Matthew's and Mark's. The only similarity is that the host in both versions is Simon. Most Christian commentators (Gould, "Mark" XIV: 3; and others) agree that it is not the same.

10. Matthew XXVI, 12; Mark XIV, 8.

11. But Plummer ("Mark" XIV, 3) knows how that could have been done. He says: "She could anoint either head or feet from behind, as he reclined on a couch."

12. See p. 350 where this is fully discussed.

13. The Almighty commanded (Deut. XXIII: 19): "Thou

shalt not bring the hire of a harlot, or the price of a dog, into the house of the Lord thy God for any vow; for even both these are an abomination to the Lord thy God." Were not these an abomination to the "Son of God"?

14. It was not customary among the Jews for a host to kiss his guest as a sign of respect or reverence.

15. Luke XXII: 22; XXIV: 25 ff.; a. fr.

16. So John (XIII: 2, 7).

17. But a Christian commentator knows how to reconcile this theological inconsistency. Swete ("Mark" XIV: 21) says: "Besides the good Will of God which decreed the Passion of which he (Judas) had no knowledge, there was behind his act the instigation of Satan (Luke XXIII: 3; John XIII: 2, 27) working on his passions." In others words, the good Will of God and Satan had one objective working together on one project to induce and entice poor Judas.

18. Matthew XXVI, 15.

19. The writer of the Lucan Gospel clearly states in his introductory verses (I: 1-4) that he knew of some other narratives by ministers of the word pertaining to certain things which were "most surely believed among us." He, however, was apparently displeased with those narratives, and he therefore set out to write a narrative himself. He does not state from whom he obtained his information. His introductory remarks bear the typical vagueness and uncertainty peculiar to the Gospels as a whole. Critics, therefore, cannot agree which of the other two Synoptic Gospels was Luke's source. Pfleiderer ("Urchristenthum," p. 416) says: "That Mark was one of Luke's forerunners, whom he wished to surpass in completeness and orderly arrangement is certain, and is hardly doubted by any one. The narrative and order of Mark form the groundwork and frame into which Luke interpolates his additional material."

If, however, we are to accept Baur's view that the order in which the Synoptic Gospels were written, was: Matthew, Luke, Mark, then Matthew was one of Luke's sources and not Mark. Plummer ("Luke" XXII: 14-23) says: "Luke seems to have used an independent source." His view is of necessity shared by many authors.

20. Mark XIV: 10-11.

21. Matthew (XXVI: 48-50) and Mark (XIV: 44-45) however, state that Judas agreed to identify Jesus by means of a kiss.

22. Farrar ("Luke" XXII: 4), among others, comments:

"The Levitic captains of the Temple who kept order during the Feasts."

23. See Matthew, n. 15.

24. Matthew XXVI: 17; Mark XIV: 12.

25. Mark XIV: 13.

26. Matthew XXVI: 17, 18.

27. Mark XIV: 13-16.

28. See Mark, n. 45.

29. Matthew XXVI: 18.

30. Mark XIV : 25.

31. Matthew XXVI: 29.

32. Matthew (XXVI: 29) and Mark (XIV: 25) state that the Nazarene said to his disciples: "I will drink no more of the fruit of the vine, until that day that I drink it new (*with you*, Matthew) in the kingdom of God (Matthew: *in my father's kingdom*)."

Gould ("Mark" XIV: 25), among many other authors, could not understand why the celestial Jesus would prophesy his wine-drinking in the kingdom of God. Accordingly he tries to prove that the Greek term employed in the Marcan text is not *new wine*, but *a new kind of wine*. He says: "In the making of all things new, there is to be a new festal meeting and association of Christ and his disciples, a realization of these earthly feasts and symposia, which are brought to an end in this last supper. There is thus a note of sadness, a word of breaking up, closing those human associations, but a more solemn note of gladness, looking forward to the new spiritual associations and joys of the Messianic kingdom."

This pagan Apostle, however, expressly tells this learned commentator that his explanation of the Marcan text is far-fetched. He states that the Nazarene said to his disciples: "I will not drink of the fruit of the vine, until the kingdom of God shall come." So the wine he speaks of is ordinary wine, not *new*, and he will drink it all by himself, not in "the new spiritual associations and joys of the Messianic kingdom." This solitary drinking-bout is borne out even by the Marcan text, XIV: 25.

Furthermore, a spiritual enjoyment should not have been symbolized by the divine Jesus with wine-drinking, as though wine-drinking to him was the most enjoyable thing on this earth. Only a drunkard would dream of a future world where he can satisfy his lust with sufficient drinks.

Besides, there can be no doubt that before the alleged crucifixion Jesus and his disciples had no other thought in mind than a kingdom of God in this world. Jesus himself assigned to his

disciples twelve thrones from which to judge the twelve tribes of Israel, and that they "may eat and drink at my table in my kingdom" (Luke XXII: 30). Do we need any further proof, then, that Jesus thought of a kingdom where there would be eating and drinking? Drinking can be accomplished with *spiritual wine*, but can eating be done with spiritual food? (See Matthew, n. 143.)

33. Matthew XXVI: 26; Mark XIV: 22.

34. Matthew XXVI: 26, 27; Mark XIV: 22, 23.

35. Matthew XXVI: 28.

36. Mark XIV: 24.

37. Matthew XXVI: 21.

38. Mark XIV: 18.

39. Bernard ("John," p. 458) says: "The most remarkable feature in his (Luke's) narrative being that he puts the announcement that a traitor was present after the institution of the Eucharist, thus implying that Judas received the Bread and Cup along with the rest." Plummer ("Luke" XXII: 21-23) is somewhat perplexed, when he says: "If Luke places this incident in its proper place, Judas did partake of the Eucharist. But the question cannot be decided."

In Douay's Edition of the Bible (Matthew XXVI, verse 27), the expression "drink ye all of this," is explained: "This was spoken to the twelve apostles; who were all present; and *they all drank of it*, says St. Mark (14, 23)." According to this view, even Matthew and Mark state that Judas partook of the Eucharist.

40. Acts I: 18.

41. Matthew XXVII: 3 ff.

42. Matthew XXVI: 24.

43. Mark XIV: 21.

44. Matthew XXVI: 22-25; Mark XIV: 19-20.

45. Matthew XXVI: 22; Mark XIV: 19.

46. These disciples display their vanity and envy and also their ignorance. It is not surprising that the chief disciples of Jesus, Peter and John, were attested to have been "unlearned and ignorant men" (Acts IV: 13). Farrar ("Luke" XXII: 34) says: that the Greek word used in this Gospel, "Philoneikin," denotes an "ambitious contention." Matthew, too, and Mark (Matthew XX: 20-24; Mark X: 35-41) attest to the envy and jealousy that existed among these disciples.

47. Luke IX: 44-46.

48. Mark IX: 31-34.

49. But the other two Synoptists who were supposed to have been eye-witnesses and to have taken part in this strife make

no mention of it at this time. Shall it be assumed, then, that those two Jewish Apostles understood the vulgarity of their conduct and purposely omitted this tradition which did not disturb the sensibilities of the pagan Luke?

50. In verses 25-26, the Nazarene tells his disciples that among the Gentiles the kings exercise lordship and authority over their subjects and are looked upon as benefactors among them. But the chief among the disciples must consider himself not as a master but as one who serves his fellow disciples. In verse 27, he tells them that he himself is so humble that he considers himself as one who serves the disciples and not as their master. But in verses 28-29, this humble servant becomes suddenly proud and haughty, reminding them that his Father has given him a kingdom and unlimited divine power with which to delegate kingships to his twelve inferiors and subordinates.

The appointment by Jesus of the twelve Apostles to sit on twelve thrones judging the twelve tribes of Israel, would prove that the writer of this text did not contemplate a universal kingdom but one confined to the Israelites.

51. Matthew XXVI: 56; Mark XIV: 50.

52. See Luke, n. 32.

53. The fact that the Nazarene mentioned twelve disciples and not eleven, would tend to prove beyond doubt that Judas Iscariot was then included in the twelve. If Judas were excluded, there would have been only eleven disciples, since Matthias, Judas' successor, was appointed by lot after the crucifixion (Acts I: 23-26). Besides, according to the Johannine Gospel (XIII : 2, 30), Judas left the company after supper.

54. Matthew XXVI : 30-35; Mark XIV : 26-31.

55. From this point in the narrative the scene is laid by Matthew (XXVI : 30-35) and Mark (XIV : 26-31) on the Mount of Olives, where they had gone after singing their hymn. It was there that the prediction of Peter's denial was made, according to their testimony. The Lucan Gospel, however, states that the prediction was made while they were still in Jerusalem, as the departure to the mountain is not mentioned until later in the text (verse 39, *infra*). A very serious discrepancy, indeed!

It is remarkable to note how Christian apologists mention contradictory reports of Evangelic witnesses, without realizing that these contradictions disprove the veracity of their testimony. Thus, Plummer ("Luke" XXII : 31-34) just remarks: "Luke agrees with John (XIII : 36-38) in placing the prediction in the supper-room. Matthew (XXVI : 30-35) and Mark (XIV : 26-32) place

it on the way from the room to Gethsemane."

Swete ("Mark" XIV : 27) would consider the testimony of the Evangelists trustworthy on the ground that their traditions are not contradictory but "distinct and independent." He says: "Luke and John appear to place the conversation in the supper-room, but the three traditions (Matthew-Mark, Luke, John) are distinct and independent." Yes, because they contradict one another, the conclusion is that they are "distinct and independent," and because they are "distinct and independent," they are "contradictory," but the only true conclusion that can be drawn is that one set of the traditions is false.

56. Matthew XXVI : 31; Mark XIV : 27.

57. The Lucan text is somewhat ambiguous. The writer evidently did not know exactly whether to state that Jesus had addressed himself to Peter only or to all the disciples. He therefore employed the second person plural, *you* (verse 31), in Jesus' first address to Peter, but in verse 32, he used the singular pronoun, *thee*.

58. The question may be asked again: if Peter and Matthew did not mention this conversation between Jesus and Peter, although they were supposed to have been eye-witnesses, on what did Luke base his information?

59. Matthew IX : 2-6; Mark II : 5-7, 10; Luke V : 20-21.

60. Matthew VIII : 26.

61. Matthew VIII : 13; IX : 6; Luke XIV : 2-4; John V : 5-9; a. fr.

62. On several occasions, Jesus declared his Father superior to himself, thus making it more difficult for Christian theologians to prove that Jesus was equal with his Father. One outstanding example is to be found in Matthew XX : 23, and Mark X : 40, where Jesus expressly told his ambitious disciples, the two sons of Zebedee, James and John, that their request for special seats in the kingdom, would have to be left for his Father to decide: "It shall be given to them for whom it is prepared of my Father." The Marcan text omits "my Father," and as Christian theologians are extremely anxious to prove that Jesus was not inferior to his Father, they maintain (Gould, "Mark" X : 40; and others) that Mark has preserved the true form of Jesus' statement, that neither God Himself, nor Jesus had the power to bestow this privilege, because of a prior commitment to destiny. (See Matthew, n. 153.)

It is, however, extremely difficult to see what these authors can do with the Matthean text that expressly says that it did not belong to Jesus but to his *Father*. And what can they do with

such an expression, for instance as (John XIV : 28): "The Father is greater than I"? Do they wish to impute claims of paganism to Jesus, at any cost?

63. Peter, indeed, made a very bold and solemn promise to his master, in spite of the express warning given to him. And a Christian author (Rice, "Mark" XIV : 34) says: "It amazes us, as we read this distinct and terrible warning, that Peter was off his guard in less than 24 hours after this."

64. Mark XIV : 29.

65. At this point both Synoptists (Matthew XXVI : 31-32; Mark XIV : 27-28) state that the Nazarene prophesied that all the disciples would be offended because of him in order that a certain prophecy might be fulfilled. He also prophesied that he would rise again after death and that he would go before them in Galilee. It is astonishing that these two important statements allegedly made by the Nazarene were entirely omitted by Luke.

66. Luke's tradition agrees with Matthew (XXVI : 34) that the Nazarene predicted only one crowing of the cock, and not two crowings as Peter himself testified (Mark XIV : 30).

Here again we have three different quotations of a single statement attributed to the Nazarene. According to Matthew, he said: "Verily, I say unto thee, That this night, before the cock crow," etc. Mark has it: "Verily I say unto thee, That this day, even in this night, before the cock crow twice," etc. Luke quotes: "I tell thee, Peter, the cock shall not crow this day, before thou shalt thrice deny thou knowest me." Which, if any, of these quotations is the true one?

67. Matthew XXVI : 35; Mark XIV : 31.

68. The reason for the omission of this incident by the other two Synoptists is obvious. Those Apostles, having been born and raised among Jews, knew how their compatriots detested bloodshed and violence. They, therefore, could not record that their master, the alleged symbol of peace and brotherly love, urged his disciples to prepare for a bloody attack.

Luke, however, as a pagan, could not free himself from the paganistic concept inculcated in him that a hero, whether earthly or celestial, could not entirely abstain from performing martial deeds. To a pagan what is more god-like than swordsmanship and military prowess? (See pp. 392-4.)

69. Matthew XXVI : 52.

70. The Lucan text, on the whole, contains ambiguous and inexplicable expressions, which are subject to several interpretations. Regarding the expression "It is enough," Balmforth ("Luke"

XXII : 35-38) admits: "The difficulty of understanding 'It is enough' (v. 38) remains." (See Luke, n. 99.)

71. Plummer ("Luke" XXII : 46) makes an attempt to prove "Christ's human knowledge." In simple language, it would mean, that certain Gospel texts actually prove that Jesus had no foreknowledge of certain future events.

72. Matthew XXVI : 36-37; Mark XIV : 32-33.

73. Matthew XXVI : 38; Mark XIV : 34.

74. Christian commentators admit that this expression is not clear, and the measurement uncertain. Balmforth ("Luke" XXII : 41) says: "Stone's cast—a vague phrase."

75. Matthew XXVI : 39.

76. Mark XIV : 35-36.

77. Luke gives a version of Jesus' prayer which differs materially from that given by both Matthew and Mark. Matthew follows the theory that the Almighty as a rule does not alter His decree; Jesus therefore predicates his prayer on possibility; "If it be possible, let the cup be passed away from me" (Matthew XXVI : 39). Mark has a different theological viewpoint, that the Almighty can do anything He pleases even as regards changing His decree, and therefore he has Jesus as saying: "All things are possible unto thee" (Mark XIV : 36). (See Mark, n. 80.) This pagan Apostle does not seem to know anything at all concerning the theological question whether or not it is possible for the Almighty to alter a declared decree. It is for him a question of *will* and not *possibility*: "Father, if thou be willing, remove this cup from me."

It is doubtful whether even the shrewdest theological mind, howsoever Christian in subtlety, can reconcile such widely divergent viewpoints.

78. Matthew XXVI : 38; Mark XIV : 34.

79. Matthew XXVI : 39-40; Mark XIV : 36-37.

80. Matthew XIII : 41-42; XXIV : 30-31; Mark XIII : 26-27; Luke XII : 8-9.

81. Christian commentators do not agree as to whether the Lucan Gospel means to convey the impression that there was actually blood dripping from the Nazarene's face. Rice ("Commentary on Luke" XXII : 44) among others maintains that they were actually drops of blood, and he justifies the incident biologically by saying that it has been proven that great mental anguish may cause blood to ooze from the body like sweat. And then this author remarks: "Mental anguish causing blood to ooze from the body like sweat is certainly not descriptive of a divine nature."

This author overlooks the fact that Luke was a pagan, and to a paganistic Roman mind such a description was in harmony with his own mythology.

Farrar ("Luke" XXII : 44) says: "St. Luke, however, does not use the term 'bloody sweat,' but says that the dense sweat of agony fell from him *like* blood gout—*which may mean as drops of blood do from a wound.*" Very clever hair-splitting by an author who is so sublimely and dignifiedly elevated that he has to *condescend* from his lofty pedestal "to notice objections when they are supposed to rest on Talmudical authorities" (Farrar, "The Life of Christ," Vol. II, p. 347, note 2).

82. Matthew XXVI : 37-39; Mark XIV : 33-36. Salmond, voicing the opinion of many other Christian authors, says ("Mark" XIV : 32-42): "On the other hand he (Luke) and he alone, introduces the statements about the strengthening angel and the blood-sweat. The two verses, however, containing these statements (XXII : 43, 44), though they have a place in the text of the Revised Version, as well as that of the Authorized Version, are omitted by some of the most important ancient documents, and are of uncertain authority here." Thus, Christian authors are forced, at times, to admit that some of the statements in the Gospels are spurious.

83. Plummer ("Luke" XXII : 44), obviously in an attempt to establish the veracity of Luke's testimony regarding the blood-sweat, says: "It would be visible in the moonlight, when Jesus returned to the disciples." So, this learned author, in order to prove the truthfulness of Luke's testimony, would have us believe that his god sweated drops of blood not only when he offered his prayer, but also all the way back to his disciples and it lasted even after he had awakened them from their sleep.

84. Matthew XXVI : 37-40; Mark XIV : 32-37.

85. Matthew XXVI : 39-45; Mark XIV : 37-41.

86. Matthew XXVI : 45; Mark XIV : 41.

87. Matthew XXVI : 46; Mark XIV : 42.

88. Balmforth ("Luke" XXII : 47) says: "Apparently St. Luke means that our Lord avoided the traitor's kiss."

89. Matthew XXVI : 49; Mark XIV : 45.

90. Matthew XXVI : 49.

91. Mark XIV : 45.

92. Matthew XXVI : 50.

93. Mark XIV : 45-46.

94. Matthew XXVI : 50-51; Mark XIV : 46-47.

95. No Jew would carry a sword or any other weapon on a

Festival, because this is forbidden by Jewish law. (See Mark, n. 99.) Accordingly, Farrar ("Luke" XXII, 49) remarks: "Since it was illegal to carry swords on a feast-day, we have another sign that the Last Supper had not been the Passover." But Luke expressly stated (XXII : 7, 8, 11) that the Last Supper was the Passover meal. (See pp. 352-54.)

The other two Synoptists fail to support Luke's account that the disciples asked the Nazarene whether to strike with the sword.

96. See Luke, n. 68.

97. It is remarkable that the Prince of Peace failed to reply with an emphatic "No" to this impudent question.

98. See Mark, n. 100.

99. Here is another one of those ambiguous Lucan expressions which cannot be explained by commentators. Farrar ("Luke" XXII : 51) says: "Probably addressed to the captors, and meaning, *Excuse thus much resistance*; or 'Allow me liberty thus far'—free my arms a moment that I may heal this wounded man." Must a god "touch" a wound to heal it?

Rice ("Commentary on Luke" XXII : 51) says in explanation of this expression: "This, if addressed to the captors, might mean, allow the disciples to go away; permit me to heal this man. If said to the disciples, it was to restrain them, and implied: 'Let them take me, and do not resist them.' " (See Luke, n. 70.)

Plummer ("Luke" XXII : 51) says: "The obscurity of the saying is evidence that it was uttered: an invented utterance would have been plainer." This is the strangest argument ever advanced in any court of law or elsewhere to prove the authenticity of a saying by the fact that it is "obscure." Besides, does this author wish to tell us that only his Lord Jesus was entitled to make meaningless statements, a right denied to ordinary inventors?

100. Mark XIV : 47-48.

101. Matthew XXVI : 52.

102. Plummer ("Luke" XXII : 51) states with firm conviction: "A complete restoration of the ear is meant and required. 'He touches the ear,' and not the place where the ear had been."

103. Matthew XXVI : 51; Mark XIV : 47.

104. Plummer ("Luke" XXII : 51) comments: "Luke the physician alone records this solitary miracle of surgery." Yes, a physician has an hallucination of a surgical operation, but not the fishermen of Galilee.

105. Matthew XXVI : 53-54.

106. Matthew XXVI : 47; Mark XIV : 43.

107. Luke contradicts the other two Evangelists, by adding

to the arresting multitude the chief priests and captains and elders. He did this obviously to enhance the glory of the Nazarene; for surely the Jewish authorities would not have depended on their subordinates to make so important an arrest. (See n. 110 below.)

108. Deuteronomy XVI : 5-7.

109. Mishnah, Pesahim X : 1ff.

110. But a Christian author advances reasons why those Jewish dignitaries took part in the arrest. Plummer ("Luke" XXII : 52) states: "There is nothing improbable in the presence of the chief priests [what about the elders?], who are mentioned by Luke alone. Anxiety about the arrest, which might be frustrated by a miscalculation of time, or by people, or by a miracle, would induce them to be present." Aren't these logical reasons why members of the highest court in the land and members of the hierarchy should profane a solemn Festival and take personal charge of the arrest of the Nazarene? (See n. 107, above.)

111. Matthew XXVI : 55-56; Mark XIV : 48-49.

112. Luke joins Matthew (XXVI : 56) in contradicting Mark (XIV : 51-52) concerning the incident of the naked disciple.

113. Matthew (XXVI : 57) and Mark (XIV : 53) stated that in the palace of the high priest there had been assembled chief priests, scribes and elders, that is, the whole body of the Sanhedrin. Luke makes no mention of such an assembly.

114. Matthew XXVI : 58; Mark XIV : 54.

115. Matthew XXVI : 59-68; Mark XIV : 55-65.

116. According to this Gospel writer, no legal action at all was taken before the following morning (verses 63-71, *infra*). Plummer ("Luke" XXII : 54) remarks: "All that Luke tells us is that Jesus was kept a prisoner and insulted between the night arrest and the morning sitting of the Sanhedrin. Possibly his authorities told him no more." *His authorities*, whoever they might have been, were not very accurate, then.

117. Balmforth ("Luke" XXII : 55-62) says: "There by the light of the fire he is recognized by a slave girl."

118. Mark XIV : 66.

119. Matthew XXVI : 69.

120. Mark XIV : 68.

121. Matthew XXVI : 70.

122. From a legal point of view, the denials as recorded by Matthew and Mark, cannot be construed as direct, unequivocal denials on the part of Peter, because he did not expressly say, while pointing at Jesus, that he did not know the man. The denial,

however, as reported by Luke is absolutely unqualified and is not subject to any other interpretation than as a direct denial.

123. McNeile ("Matthew" XXVI : 57-75) states: "In Luke . . . within his sight and hearing Peter denied Him thrice at intervals."

124. Mark XIV : 31. (See n. 135 below.)

125. Matthew XXVI : 71; Mark XIV : 68.

126. Mark XIV : 69. (See Mark, n. 23.)

127. Matthew XXVI : 71.

128. The Lucan Gospel agrees with Matthew (XXVI : 72) that no cock crew after Peter's second denial, thus contradicting Mark (XIV : 68).

129. The Lucan Gospel follows Mark (XIV : 70) in stating that the second denial by Peter was not substantiated with an oath. Both contradict Matthew (XXVI : 72).

130. Matthew XXVI : 73; Mark XIV : 70.

131. The Johannine Gospel states (XVIII : 26) that the third identification was made by a man, a servant, a kinsman of Malchus whose ear Peter had cut off. Perfect harmony!

132. Mark XIV : 71

133. Matthew XXVI : 74.

134. Matthew XXVI : 57 ff.; Mark XIV : 53 ff.

135. A difficulty has arisen among modern Christian commentators in explaining the Lucan narrative that Jesus glanced at Peter after the third denial. The narrative of Matthew (XXVI : 57-65) and Mark (XIV : 53-64) that Jesus was tried by the Sanhedrin during the night, precludes the possibility that Peter and the servants were in the same room with Jesus, who must have been in the judgment chambers of the high priest.

Of course, those Christian commentators could easily solve their problem by admitting that, according to the Lucan version, no trial at all was held at night, and that therefore Jesus was probably held in custody until morning in the officers' quarters. But such an explanation would emphasize the disagreement between Luke and the other two Synoptists.

McNeile ("Matthew" XXVI : 74) says: "Luke states also that the Lord turned and looked at him; this He could do, because He was Himself in the court-yard, undergoing insults." Accepting such an explanation, we must necessarily concede that Luke contradicts the other two Evangelists concerning the night trial.

Other Christian commentators, who do not wish to concede the discrepancy, advance far-fetched explanations of the Lucan

version. Plummer, for instance, attempts to explain it thus ("Luke" XXII : 61): "Peter is probably still in the court, while Jesus is inside. It is improbable that Jesus was present when Peter denied Him. He may have been visible through door or window, but scarcely within hearing. The 'turned, and looked' may have taken place as He was being led to or from the examination before Caiaphas." Not only is this an illogical explanation, but this author is inconsistent with himself. For, has he not conceded that, according to Luke, "Jesus was kept as a prisoner between the night arrest and the morning sitting of the Sanhedrin"? (See Luke, n. 116.)

Bernard ("John" XVIII : 27) offers this explanation: "According to the Lucan narrative, at this point, 'the lord turned, and looked upon Peter' (Luke XXII : 61). Accordingly, we must suppose Jesus to have come down from the chamber where he had been informally examined, and to have been passing through the courtyard on his way to Caiaphas for formal trial and sentence, when Peter again denied his discipleship, and was overheard by his master."

It is obvious that this author is trying to palm off John's narrative on Luke, because Luke makes no mention at all of any hearing at night, whether informal or formal. On the other hand, John says nothing of Jesus' glance at Peter. It is difficult to understand how we can use the statements of one writer to reconcile the inconsistencies of another.

136. Matthew XXVI : 74-75; Mark XIV : 72.

137. Matthew XXVI : 67-68; Mark XIV : 65.

138. Plummer ("Luke" XXII : 63) says: "Not members of the Sanhedrin, but the servants or soldiers in whose charge Jesus had been left." (See Summations, n. 11.)

139. Only Luke mentions the fact that the Sanhedrists met in their *council*. This probably refers to the *Lishkat ha-Gazit*, Chamber of Hewn Stone (Mishnah, Sanhedrin XI : 2).

As has been stated before (p. 407), the Great Sanhedrin at Jerusalem held their court-sessions from the close of the daily morning sacrifice to the time of the daily evening sacrifice (Baraita, quoted in Babli, Sanhedrin 88b; Maimonides, *Hilkot Sanhedrin* III : 1). The daily morning sacrifice was slaughtered when the whole east was alight, at dawn (Mishnah, Tamid III : 2), but was not brought as an offering until one or two hours later in the day because of the lengthy ritual, which included prayers in the *Lishkat ha-Gazit*, Chamber of Hewn Stone (Mishnah, Tamid III, IV, and V).

Consequently, the Great Sanhedrin could not have convened in court session before seven or eight o'clock in the morning.

140. Matthew XXVII : 1-2; Mark XV : 1.

141. Plummer ("Luke" XXII : 76) remarks: "Note that the proceedings are conducted by the Sanhedrin as a body; not, as in the earlier trial, by the high priest alone (Matthew XXVI : 62-65; Mark XIV : 60-63)."

142. Matthew XXVI : 59.

143. Mark XIV : 55.

144. See pp. 484-485 where the difference between the alleged question by the high priest and Jesus' reply thereto is explained.

145. Matthew XXVI : 63-64.

146. Mark XIV : 61-62.

147. Here is another example of Luke's use of meaningless and ambiguous expressions. Rice ("Commentary on Luke" XXII : 68) offers the following far-fetched paraphrase: "If I ask you questions about the Messiah, to show my confession true, you will not answer." But why attempt to defend himself by questioning the judges, and why the assumption that the judges would not answer? And what questions could he ask of them, and what answers could he expect? (See also Plummer, "Luke" XXII : 67.)

148. See pp. 369-370 where it is proven that such an expression is meaningless from a Jewish religious point of view, and therefore could not have been used by Jesus.

149. Matthew XXVI : 64; Mark XIV : 62.

150. In all probability, this pagan Apostle never heard of the legend related by Matthew and Mark that the Nazarene had claimed that he would come "in the clouds of heaven," to complete the picture of the *bar enosh*, the son of man, as given in Daniel VII : 13. Had Luke known of this legend, he would surely have put it to use, for it was thoroughly in keeping with his pagan spirit. The Johannine Gospel says nothing at all concerning this claim supposed to have been made by the Nazarene, evidently because John, too, knew nothing about it. John was not in the habit of rejecting any evidence, no matter how tenuous, of the divinity of Jesus.

151. Matthew XXVI : 63; Mark XIV : 61.

152. Matthew XXVI : 61; Mark XIV : 58.

153. Matthew XXVI : 66; Mark XIV : 64.

154. Nor does the Johannine Gospel state that the Sanhedrin rendered a decision of guilt (XVIII : 13-24), for according to this Evangelist, no trial whatsoever was held in the Jewish court

of law.

It is peculiar to note how inconsistent most of the Christian authors become in their endeavor to explain away irreconcilable incongruities in the Gospel texts. Plummer, for instance, states ("Luke" XXIII : 1-7): "Luke seems to assume that his readers know that Jesus was condemned to death by the Sanhedrin." This assumption, naturally, must be based upon the theory that Luke made use of the Matthean and Marcan Gospels, because there is no condemnation to the death of Jesus mentioned in any other source. Yet the same author states ("Luke" XXII : 63-65): "His omissions seem to show that he is making no use of Matthew or Mark."

155. So Plummer ("Luke" XXIII : 4), and others.

156. Plummer ("Luke" XXIII : 1) explains: "The whole body of the Sanhedrin is meant, not including the populace, who at this point are not mentioned in any of the accounts." So Valpy, "Greek Testament" a. l.

The Lucan version, however, states that Pilate addressed himself to the "chief priests and the people" (Luke XXIII : 4), and the same author tells us ("Luke" XXIII : 4): "The procession of the Sanhedrin would attract a crowd." Accordingly, the crowd had been there already when the charges were preferred against the prisoner. So the pronoun "they" in the Lucan text may also refer to the whole mob, including the "common people." But it is more convenient for Christian authors to exclude the "common people" in this instance, because it would be ridiculous to say that a rabble would become accomplished jurists, and in unison prefer three distinct political charges against Jesus.

Luke, however, does state (XXIII : 5) that the mob in their "fierceness" grew so learned in the Roman law that they in one voice together with the Jewish jurists charged Jesus with the political offense of sedition. It seems that the more the Christian authors attempt to clarify the Gospel versions, the more muddled they become.

157. So Plummer ("Luke" XXIII : 2) and others. Husband ("The Prosecution of Jesus," p. 226) states that "both the Hebrew and the Roman systems demanded a written indictment." If such was the case, then it would have been impossible for the Jewish authorities to submit a written indictment to Pilate, for writing was strictly forbidden on a Festival (Ex. XII : 16; Mishnah Betzah V : 2).

158. Matthew XXVII : 11; Mark XV : 2.

159. A serious Christian author, Plummer, admits that the

accounts given by the Synoptists make the trial before Pilate "scarcely intelligible." But what does he do to make it intelligible? He explains it in conjunction with the Johannine version. It is hardly logical but convenient. This author says ("Luke" XXIII : 3): "It condenses a conversation given at greater length by John, without whose narrative that of the three is scarcely intelligible. It would be extraordinary that Pilate should simply hear that Jesus admitted that He claimed to be the king of the Jews, and at once declare, 'I find no fault in this man.' But a conversation with Jesus had convinced Pilate that He was a harmless enthusiast. He did not claim to be king in the ordinary sense." It is not exactly honest or legal to piece together conflicting statements made by witnesses in order to make an "intelligible" account out of evidence otherwise unintelligible.

160. Matthew XXVII : 19.

161. Matthew XXVII : 13-15; Mark XV : 5-7.

162. Herod Antipas, Tetrarch of Galilee, led a thoroughly dissolute life. He married Herodias, his brother's wife, a marriage prohibited by Jewish law (Lev. XVIII : 16; XX : 21). A man of craft and cunning, he kept his office until 39 c. E., when he was banished by the Roman Emperor Caligula.

163. There can be no doubt that this incident was interpolated by the same circle of Jew-haters who wrote the Gospel of Pilate, with the obvious attempt to place the responsibility on the Jews and completely exonerate the Roman Procurator. (See Expert Opinion, n. 7.)

164. This implausible explanation is offered by many Christian commentators to explain away the unbelievable Lucan account that Pilate had sent Jesus to Herod. (See Luke, notes 169 and 172.)

165. Matthew XIV : 3-12; Mark VI : 17-29.

166. Luke XIII : 32.

167. Balmforth ("Luke" XXIII : 11) says: "Antipas, regarding Jesus as a crazy fanatic, treats him with a cruelty quite in keeping with his character." Plummer ("Luke" XXII : 11) states: "He treats Him as a crazy enthusiast, and gives a mock¹ assent to His claim to be king, which the scribes no doubt reported." Good surmising and great logic.

168. And depending upon this unhistorical, flimsy account given in the Lucan Gospel concerning the sending of Jesus to Herod, a Christian author (Farrar, "Luke" XXIII : 12) says: "This is the first type of Judaism and Heathenism leagued together to crush Christianity." This author wishes to tell the world

that Herod, as a representative of Jewry, leagued with Pilate in a tie of friendship to crush Jesus. But Herod freed Jesus, considering him merely a "crazy enthusiast" (Luke, n. 167). Besides, Herod could hardly be considered a representative of Judaism.

169. Plummer ("Luke" XXIII : 13) says: "Pilate in taking the matter in hand again summons not only the hierarchy, whose bitterness against Jesus he knew, but the populace, whom he hoped to find more kindly disposed and able to influence their rulers." But he already had seen that the populace, too, was opposed to Jesus' release (XXII : 5, *supra*); what made him hope now? And how could the rabble influence the judges of the highest court in the land and the chief priests to change their decision?

170. Matthew XXVII : 11 ff.; Mark XV : 2 ff.; Luke XXIII : 3 ff.

171. Husband ("The Prosecution of Jesus," p. 265), citing authorities, proves that Herod had no power to try, much less pass sentence on a prisoner in Jerusalem, that city being outside his jurisdiction. (See p. 470.)

172. Edersheim voices the opinion of many Christian authors when he says ("The Life and Time of Jesus the Messiah," Vol. II, p. 577): "But when the governor, hoping to enlist some popular sympathy, put this alternative to them, may have urged it, on the ground that neither he nor yet Herod had found any crime in him, and would even have appeased their thirst for vengeance by offering to submit Jesus to the cruel punishment of scourging, it was in vain." (See n. 169, above.)

173. Rosadi ("Trial of Jesus," ch. XVIII, end), speaking of the offer made by Pilate to chastise the Nazarene, says: "This promise was a second expedient no more legal or more fortunate than the first. If the prisoner was guilty, he deserved the punishment appropriate to his crime, and this punishment could not be mere chastisement. If he was innocent, it was not right that he should be chastised at all."

Farrar ("Luke" XXIII : 16) says: "He had just declared him to be *absolutely innocent*. To subject him, therefore, to the terrible punishment of scourging merely to gratify the pride of the Jews, and to humble him in their eyes, was an act of disgraceful illegality, which he must have felt to be most unworthy of the high Roman sense of justice."

174. Swete ("Mark" XV : 1) says: "The Procurator lived in Caesarea (Acts XXIII : 23 ff., Jos. B. J. II, 9, 2), but he spent the Paschal week in Jerusalem, where his presence might be needed in case of outbreak of fanaticism; cf. Jos. B. J. II, 14. 8, 15. 5)."

175. See Summations, n. 21.

176. Matthew XXVII : 17-25; Mark XV : 8-14.

177. Plummer ("Luke" XXIII : 39-43) says: "But here Luke again has other sources of information." (See Luke, n. 223.)

178. Plummer ("Luke" XXIII : 22) says: "In his weakness Pilate begins to admit, 'Well, perhaps He may be guilty of something; but He is not guilty of a capital offense.'"

179. Matthew XXVII : 11-26; Mark XV : 2-15.

180. Matthew XXVII : 24-25.

181. This Evangelist joins Mark (XV : 14-15) in rejecting Matthew's story (XXVII : 24-25) that the Roman governor washed his hands of guilt and that the assembled Jews took the guilt upon themselves and their unborn generations. (See Matthew, n. 72, and pp. 595-7.)

182. See p. 472 where it is pointed out that this would have been impossible under the Roman system of law.

183. Matthew XXVII : 27-31; Mark XV : 16-20.

184. See Expert Opinion, n. 7. This Evangelist says that Jesus was mocked by Herod Antipas and his men (XXIII : 11), but this story is rejected by the other two Synoptists who, in turn, tell of the mockery by the Roman soldiers. This story Luke rejects.

185. See John, n. 204.

186. John (XIX : 17) states that Jesus himself carried the cross. But Christian commentators contend that this does not constitute a contradiction in spite of the fact that the three Synoptists state that Simon of Cyrene bore it. Plummer ("Luke" XXIII : 22) joins other scholars in reconciling it thus: "At first Jesus carried it himself (John XIX : 17), according to usual custom . . . but he was physically unable to continue to do so." A divinity is unable to carry a burden that an ordinary criminal can carry.

187. Matthew XXVII : 55; Mark XV : 40.

188. Matthew XXVII : 22-23; Mark XV : 12-14.

189. Matthew XXVII : 32-33; Mark XV : 21-22.

190. Matthew XXVI : 37-46; Mark XIV : 33-42.

191. Matthew XXVI : 6-13, 38, 40; Mark XIX : 3-9, 34, 37.

192. Mark XV : 25.

193. See Luke, n. 139.

194. Matthew XXVII : 26-31; Mark XV : 15-20.

194a. See John, n. 216.

195. Christian authors admit that this expression is not explicable. Farrar ("Luke" XXIII : 31) says: "For if they do these

things,' etc. The meaning of this proverb is not clear." Plummer is not so very clear himself when he attempts to explain it thus ("Luke" XXIII : 31): "This saying is an argument *a fortiori*, and it may easily be applied in more than one sense here." One would like to hear at least one reasonable application of the proverb to Jesus' case at this point. But is not this Gospel writer in the habit of using meaningless expressions? (See Luke, notes 76 and 101; and others.)

196. Matthew XXVII : 34-44; Mark XV : 22-34. Even John (XIX : 17 ff.) failed to mention this utterance by Jesus.

197. Even a Christian author, at times, fails to understand the Gospel text. McNeile ("Matthew" XXVII : 43) remarks: "Luke states that the soldiers uttered similar taunts, 'offering him vinegar.' But the latter is an act of kindness, unless the words mean that the vinegar was offered, but at the same time withheld. Such a departure from discipline, however, by soldiers on official duty is scarcely probable." How would this author, then, explain the departure from discipline by the Roman soldiers when they clad Jesus in a royal robe, put a sceptre in his hand, and smote him with the sceptre which was a reed (Matthew XXVII : 27 ff; Mark XV : 16 ff.)? And how would he explain that the presiding judge himself, the Procurator Lucius Pontius Pilate, performed such an unbecoming act when he made similar sport of Jesus and even had him scourged, as told by John (XIX : 1 ff.), and that he even displayed Jesus in mockery to the rabble that had gathered outside? But those incidents commentators accept as true!

198. Matthew XXVII : 37.

199. Mark XV : 26.

200. Matthew XXVII : 44; Mark XV : 32.

201. But Christian authors know how to reconcile such apparent discrepancies. Swete, for instance, says ("Mark" XV : 32): "The traditions are distinct but not inconsistent; the plural in Matthew-Mark is used with sufficient accuracy if one of the two spoke, at least for the time, on behalf of both." A very plausible explanation! At first, one thief had a power of attorney to speak for the other, but thereafter the power was revoked by the other because the latter became repentant! And all this took place while they were suffering the agony of crucifixion!

202. This repentant thief must have been a follower of the Nazarene and far advanced in his understanding of the Messianic concepts of his master; otherwise he would not have been able to talk thus of him. This Evangelist would have us believe that a

follower of Jesus, well versed in his theories, was a robber, or a thief (Matthew XXVII : 38, 44; Mark XV : 27), deserving of crucifixion for his crimes. There is nothing surprising about this, however, when we recall John's assertion (XII : 6) that even the trustworthy treasurer of the Nazarene and his Apostles, Judas Iscariot, was a thief. If one of the chosen twelve disciples was a thief, then surely one of the ordinary followers might have been of the same profession.

203. Luke's conception of the kingdom of heaven consisted of satisfying sensual desires (Luke XXII : 29-30). Would an existence in paradise also consist of such sensual pleasures?

Farrar ("Luke" XXIII : 43) says: "Paradise—*Paradeisos* is derived from the Persian word *Pardes*, meaning king's garden or pleasance. It is used (1) for the garden of Eden (Gen. II : 8, etc.); and (2) for that region of Hades (Sheol) in which the spirits of the blest await the general resurrection (Acts II : 31; I Cor. XV, 55. Rev. 11 : 7.)

See pp. 383-4 where the terms "Paradise" and "kingdom of heaven" are defined.

204. Matthew XXVII : 44-45; Mark XV : 32-33.

205. Plummer ("Luke" XXIII : 39-43) says: "Mathew and Mark would hardly have omitted the incident of the penitent robber, if they had known it; but here Luke once more has other sources of information."

206. Christian authors prefer to call this thief a "repenter," but this is untenable. A repent, according to Jewish religious concepts, is one who earnestly repents of his sins to the Almighty, and vows not to repeat them. (Babli, Taanit 16a; Maimonides, *Hilkot Teshubah* I : 1; II : 2-3.) In this case, the thief merely acknowledged that the punishment meted out by the Roman government was justified. At no time did he pray for God's forgiveness for his sins. All he did was to absolve the Nazarene from guilt. This certainly does not constitute repentance in any religion, for he even sought a reward, a share in the "kingdom of heaven," for the slight favor he rendered the Nazarene.

207. Matthew XXVII : 46; Mark XV : 34.

208. Farrar ("Luke" XXIII : 44) contends: "The fact that the sun 'turned into darkness' was, at last, that 'sign from heaven' for which the Pharisees had mockingly asked." And there were even more portents, but why did they refuse to acknowledge him? (But see Mark, n. 217, and p. 616.)

209. Matthew XXVII : 45, 51; Mark XV : 33, 38.

210. Matthew XXVII : 45-53.

211. Mark XV : 33-38.

212. There can be little doubt that there had been certain myths circulating among the common folk about a martyr Jesus in many parts of Galilee and perhaps Judea. As is generally the case, no two myths agreed in their details. And these variant myths were embodied by different writers at different times in the Gospels.

Christian authors (Gould, "Introduction to Mark," and others) prove the authenticity of the Gospels by the fact that writers of the second century made reference to them. This, however, proves nothing, since no one can attest in which form those early writers actually saw the Gospels. Surely not in their present form.

213. Matthew XXVII : 46, 50; Mark XV : 34, 37.

214. Matthew XXVII : 48; Mark XV : 36.

215. Matthew XXVII : 47; Mark XV : 35.

216. This incident is peculiar with John only (XIX : 25 ff.).

217. See Mark, n. 219.

218. A Christian theologian knows how this pagan centurion glorified God whom he did not know. Plummer ("Luke" XXIII : 47) says: "He glorified God unconsciously by his public confession, by saying, that Jesus was no criminal, but had died in accordance with God's will." So the pagan not only glorified God unconsciously, perhaps by some divine inspiration, but he even unconsciously knew of Jesus' destiny as had been ordained by his Father. It is strange to what length Christian authors sometimes go in an effort to patch up incongruities.

219. Matthew XXVII : 54; Mark XV : 39.

220. Matthew XXVII : 54.

221. Matthew XXVII : 54-56; Mark XV : 39-41.

222. Rice ("Commentary on Luke" XXIII : 48) states that Eastern people usually smite their breasts to express extreme grief or mental anguish. No trace of such custom can be found among the Jews. This incident is not mentioned in any other Gospel (Matthew XXVII : 54-56; Mark XV : 39-41; John XIX : 29-31).

223. Even Christian authors admit that it is impossible to ascertain where Luke obtained his information. Balmforth ("Luke" XXIII : 39-43) says: "It is senseless to speculate on how St. Luke got the additional information."

224. Matthew XXVII : 46; Mark XV : 34.

225. See Mark, n. 227.

226. Plummer ("Luke" XXIII : 51) says: "We do not know

whether he had absented himself, or abstained from voting, or voted in opposition to the sentence . . . Apparently he was not present when the sentence recorded by Mark XIV : 64 was pronounced, for that was unanimous."

227. Farrar ("Luke" XXIII : 51) says: "It is remarkable that Joseph is the only Sanhedrist of whom this exception is recorded. We cannot, however, doubt that it was true of Nicodemus also, since he was the 'teacher of Israel' (John III : 10) which may possibly mean the third officer of the synagogue [Sanhedrin?], who was known by the name *Chakam* or Wise Man." This learned author forgot to mention Gamaliel, the alleged teacher of Paul (Acts XXII : 3), and a member of the Sanhedrin whose tolerant and wise advice to the chief priests resulted in freeing the Apostles (Acts V : 34-40).

228. John (XIX : 38) states that Joseph was a disciple of Jesus, "but secretly for the fear of the Jews." Matthew states (XXVII : 57) "who also himself was Jesus' disciple," without any reference to secrecy. Mark (XV : 43) as well as Luke simply state that Joseph waited for the kingdom of God, which description does not at all connect him with the Nazarene. (See Mark n. 228.)

229. John (XIX : 38) expressly states that Joseph had to keep his devotion to Jesus secret for fear of the Jews. McNeile, in attempting to reconcile this discrepancy in the Gospel statements, speculates: "He (Matthew) may have shrunk from recording that a disciple was a member of the Sanhedrin." Why should he have shrunk? Wouldn't that tend to enhance the prestige of Jesus and his associates? He failed to mention it for the simple reason that it could not happen. There is no evidence to be found anywhere that Jesus attracted the erudite to follow him.

230. Plummer ("Luke" XXIII : 51) explains: "'He was waiting for the Messianic kingdom': that he recognized Jesus as the Messiah is not implied."

231. This Evangelist joins Matthew (XXVII : 58) and John (XIX : 38) in denying Mark's statement (Mark XV : 44-45) that Pilate first ascertained through the centurion whether the Nazarene was actually dead.

232. John XIX, 31ff.

233. John XIX, 34.

234. John XIX : 39.

235. Neither this Evangelist nor John (XIX : 41-42) repeats the statement made by Matthew (XXVII : 60) and Mark (XV : 46) that a great stone was rolled to the door of the sepul-

chre. They do say, however, that the stone was taken away from the sepulchre (Luke XXIV : 2; John XX : 1). That apparently had been interpolated by a later hand who wished Luke and John to substantiate the Matthean and Marcan statement about the stone having been rolled to the mouth of the sepulchre.

236. Plummer ("Luke" XXIII : 54) argues: "If the Passover had begun the previous evening, would Luke and Mark (XV : 42) speak of its day as the eve of an ordinary Sabbath? Just as we should hardly speak of the 'first Sunday in April,' if that Sunday was Easter Day." Does this author wish to convince us that his Apostle St. Luke is inconsistent? For, did not Luke state (XXII : 7 ff.) that it was the first day of Passover? (See Luke, n. 240, and pp. 352-4.)

237. The words, "the women who came with him from Galilee" in verse 55, undoubtedly refer to the unspecified number of women mentioned in verse 49, and certainly not to the Marys, who were too important to be designated thus. In XXIV : 10, Luke expressly states, "and other women that were with him." Matthew (XXVII : 61) and Mark (XV : 47) state that there were only two women present, Mary Magdalene and the other Mary, who observed where the Nazarene was laid to rest, while John (XIX : 42) makes no mention at all that there were any women present at the burial of Jesus.

238. Matthew XXVII : 46ff.; Mark XV : 34ff.;

238. Matthew XXVII : 46ff.; Mark XV : 34ff.; Luke XXIII : 44, 46.

239. What is more, Matthew (XXVII : 57) and Mark (XV : 42) explicitly state that Joseph came to ask for the body of Jesus "in the even," so that it must have been either at sunset or near sunset when he first came to Pilate.

240. Even if there had been sufficient time before sunset to prepare the spices, it would not have been allowable in Jewish law, as has been stated (p. 385), to prepare anything on a Festival day which was intended for use after the Festival. And according to this Evangelist, that Friday was the first day of Passover.

Plummer again tries to convince us that St. Luke was inconsistent. He says ("Luke" XXIII : 56): "But can we suppose that, if in this year Nisan 15 immediately preceded the Sabbath, pious women would have worked merely to gratify affectionate feeling?" (See Luke, n. 236.)

241. This Evangelist contradicts Mark (XVI : 1) who states that the women "bought" the sweet spices "when the Sab-

bath was passed." (See John, n. 251.)

242. This Evangelist, like Mark (XV : 47-XVI : 1) and John (XIX : 42-XX : 1), rejects the story told by Matthew (XXVII : 62-66) that the chief priests and the Pharisees requested the Roman governor to make the sepulchre of Jesus secure.

243. Christian commentators agree with Farrar ("Luke" XXIV : 1) that the Greek expression would seem to indicate that women came there "very early in the morning, at deep dawn, i. e. at the earliest morning twilight." If so, then this Evangelist is in agreement with Matthew who states (XXVIII : 1) that they arrived at the sepulchre "as it began to dawn." However, Mark (XVI : 2) has it that they came there "at the rising of the sun," while John (XX : 1) avers that they came there "when it was dark." One wonders who of these reporters is right.

244. Mark XVI : 1.

245. Matthew XXVIII : 2.

246. Mark XVI : 5.

247. Matthew says (XXVIII : 2) that there was only one angel and that he rolled away the stone. Mark (XVI : 5), too, has only one angel, but he was sitting inside the sepulchre. According to John (XX : 1-12), Mary saw no angels at all upon her first visit to the sepulchre; and when she returned, she saw not one but two angels where Jesus had lain. And this is supposed to be history!

248. Even a Christian author is puzzled by the Lucan version, and he admits that this conversation between the angels and the women was a later addition. Swete ("Mark" XVI : 6) says: "In Luke this passing reference is expanded into a citation of the prophecy . . . But the prophecy was addressed, so far as we know, to the Twelve only, and the reference to it, or at least the citation, probably formed no part of the earliest tradition."

249. Matthew XXVIII : 7; Mark XVI : 7.

250. Matthew XXVIII : 1.

251. Mark XVI : 1.

252. Mark XVI : 8.

253. Matthew XXVIII : 8-9; Mark XVI : 8-9.

254. From the Marcan text (XVI : 12-13) it would appear that they belonged to the eleven.

255. Plummer ("Luke" XXIV : 16) states: "And there is good reason for believing that the risen Saviour had a glorified body which was not at once recognized. Compare Mark XVI : 12, the terror of the Disciples (ver. 37), the mistake of Mary Magdalene (John XX : 14, 15) and the ignorance of the Apostles

on the lake (John XXI : 4). But it is quite possible that the Evangelist understands the non-recognition of Jesus here and the recognition of him afterwards (ver. 31) to be the results of Divine volition." (For a full discussion of this topic, see John n. 273.)

256. Matthew V : 22.

257. No modern student of the Bible would seriously contend that in the Five Books of Moses there is any hint of a reference to the Nazarene. This pagan Luke, however, quotes Jesus that "beginning with Moses there are some things concerning himself." No Christian scholar has been able, scientifically or logically, to point out where in the Pentateuch such "things" are to be found. But because they cannot admit untruths in the Gospels, some zealous commentators, nevertheless, do profess to discover such hints. Farrar ("Luke" XXIV : 27) says: "Beginning with Moses—The promise to Eve (Gen. III : 15); the promise to Abraham (Gen. XXII : 18); the Paschal lamb (Ex. XII); the scape-goat (Lev. XVI : 1-34); the brazen serpent (Num. XXI : 9); the greater prophet (Deut. XVIII : 15); the star and sceptre (Num. XXIV : 17); the smitten rock (Num. XX : 11), etc." (See John n. 37.)

All that can be said about this array of citations, which in the opinion of Christian commentators refers to the Nazarene, is that it is far-fetched and ridiculous. It would be too tedious, indeed foolish, to make an attempt to refute their contention. We suggest a re-reading of these simple Old Testament texts. If these are the only references in the Five Books of Moses which may be applied to the Nazarene, the plight of the commentators is very sad, indeed.

258. According to John (XX : 24), Thomas Didymus was not there; hence, Jesus appeared to ten disciples only. Christian commentators try to reconcile this discrepancy by claiming that the expression "the eleven" refers to the Apostolic body which is regarded as a unit (Swete, "Mark" XVI : 14; Westcott, "John" XX : 19). Using such logical explanations of terms, there can never be any incongruities. We can interpret anything to suit our convenience: to make "ten" out of "eleven," and so on.

259. Mark, too, says (XVI : 13) that the second time two disciples informed the others of the resurrection. Matthew makes no mention at all of a second report. John states (XX : 2, 18) that Mary Magdalene first informed Peter and the other disciple (who?) that the stone had been rolled away, and then informed all the disciples that she had seen the lord.

260. See John, n. 273.

261. Plummer ("Luke" XXIV : 47) says: "It is His Messiahship which makes repentance effectual." This theory, which is maintained by most Christian theologians, cannot be sustained. Repentance and forgiveness of sins had been well known among the Jews many centuries before Jesus. The Prophets always exhorted the people to repent that their sins might be forgiven. (For a full discussion of this subject, see pp. 394-5.)

262. Neither does Mark mention that Jesus made an appearance to his disciples in Galilee. Matthew (XXVIII : 16) says that Jesus appeared to them on a mountain in Galilee, and John says (XXI : 1) that it was at the sea of Tiberias. This testimony of the Evangelists, upon which the entire theory of the resurrection is based, is extremely unreliable and untrustworthy.

263. This story is exclusive with Matthew (XXVIII : 11-15). No other Evangelist seems to know anything about it.

264. McNeile ("Matthew" XXVIII : "Additional Note on the Resurrection") comments: "Luke relates (Acts I : 3) that Jesus was seen from time to time throughout 40 days, and yet in his Gospel he compresses the narrative in such a way that all the events seem to have occurred on one day." (See Mark, n. 272.)

265. See Mark, n. 275.

266. Mark XVI : 19. Why Luke saw fit to omit the Marcan statement, "and sat on the right hand of God," is very difficult to explain.

267. John (XX : 19) explicitly stated that the disciples had gathered behind closed doors because they feared the Jews. How could it have been possible for them, then, to be in the Temple continually?

268. All the Evangelists conclude their Gospels with "amen," as though it were a word that had some mysterious hidden meaning. (For the definition of "amen," see pp. 501-2.)

Notes and Comments

JOHN

1. Davison, "Hastings Dictionary of the Bible," art. "John the Apostle."

2. Matthew IV : 21; Mark I : 19; Luke V : 9-10.

3. See John, n. 58.

4. Matthew (XXVI : 7) and Mark (XIV : 3) stated that she had an alabaster box of ointment.

5. Judas, too, had good reason to be indignant. Like the other disciples (Matthew XXVI : 9; Mark XIV : 5), he contended that the ointment could have been sold and the proceeds thereof used to better advantage. If oil or ointment was necessary for Jesus' burial (which was not the case at all), less expensive oil would have served as well. Jesus' statement, therefore, was not well founded.

Swete ("Mark" XIV : 6) remarks: "The Lord's tacit acceptance of supreme devotion as His due is not less remarkable than Mary's readiness to give it." Yes, very remarkable, indeed. But, was it tacit? Did not the same author state (*l. c.* 9): "The Lord erects a monument of all time to her who had done her best to honor Him"? And this pronouncement was made loud enough!

6. This expression attributed to Jesus sounds illogical. Would Jesus have said that the woman was anointing his feet for burial six or seven days before his death? Christian commentators, therefore, are compelled to put queer explanations upon the text. Bernard ("John" XII : 7) says: "We must render 'let her alone, in order that she may keep (*sc.* the remainder of the spikenard) against the day of my burying.'" Plummer ("John" XII : 7) comments: "Let her preserve what remains of it; not, however, to be sold to the poor [one may ask, Why not?], but to be used for my burial, which is near at hand." Apparently the commentators cannot help themselves.

7. There can be no doubt that this "supper" mentioned by John was not the Passover meal. Bernard ("John" XIII : 2) says: "There being no definite article and no suggestion that this was *the* supper of the Passover feast, as the Synoptists state." See pp. 372-4 for a full discussion regarding difference in dates.

8. This verse does not seem to have any connection at all

either with the one that precedes or the one that follows it. It seems to make no sense here.

Bernard ("John" XIII : 3) explains: "He knew that the Father had given all things into his hands, and that therefore he could evade the Passion which was impending if he wished."

That Jesus wished to evade his doom, cannot be doubted. For was not "his soul sorrowful even unto death" (Matthew XXVI : 38; Mark XIV : 34)? Did not great drops of blood fall to the ground from the body of Jesus (Luke XXII : 44)? The whole scene of the Agony in Gethesemane proves that. Why, then, didn't he evade the Passion if he could? Why did he have to resort to prayer that the cup might pass away from him? And didn't he finally say (Matthew XXVI : 39): "Nevertheless not as I will, but as thou wilt"? Then again (l. c. 42): "O my Father, if this cup may not pass away from me, except I drink it, thy will be done." Mark (XIV : 36) quotes Jesus: "Nevertheless not what I will, but what thou wilt." Luke (XXII : 42) quotes Jesus as saying: "Nevertheless, not my will, but thine, be done." Do not these quotations prove that Jesus admitted that in the final analysis God's will is superior to his? Then he could not have "evaded the Passion if he wished." He prayed and wished that it be averted, but he was unable to obtain results. (See Matthew, notes 152, 153 and 154.

9. It is told in the Pentateuch (Gen. XVIII : 2-5) that three angels disguised in the form of human beings visited Abraham, who gave them water to wash their feet before eating. According to this Biblical narration, then, it is evident that the custom among the ancients was to wash off the dust from one's feet, gathered from walking on foot on the hot dirt-roads, before partaking of meals.

Whatever Jesus was about to illustrate by using the rude act of washing the feet of his disciples, he should have complied with the established custom by washing their feet before and not after the meal. Even symbolic rituals should be performed in accordance with established customs.

10. The prophecy which, Jesus said, must be fulfilled concerning him, refers to Psalms XLI : 10: "Yea, mine own familiar friend, in whom I trusted, which did eat of my bread, hath lifted up his heel against me" (Authorized Version).

The ignorance and audacity displayed by the Gospel-writers is, indeed, boundless. The Johannine writer, by imputing this saying to Jesus, shows that his lord was extremely ignorant, and that he did not even understand a very simple text of the Psalms.

Even a little intelligence would have prevented him from ripping a part of a verse out of context, and applying it out of all meaning as a prophecy. But even that detached part, he misquoted. The text does not read, "he that eats with me," as John would have it; but "which did eat of my bread."

There is no point in quoting the entire chapter here in order to convince the reader that it cannot by any means apply to the Nazarene. Let any devout Christian simply read this Psalm, and he must agree that to say that its contents have application to Jesus is absolutely heretical.

11. Even John, who purposely omitted the Agony at Gethsemane because he thought that it would not be in keeping with his idea of Jesus' divinity, falls into error by describing his god as "troubled in spirit."

12. This occurred at night, and the Apostles thought, though foolishly, that when the Nazarene asked Judas to do it quickly he meant by it that Judas should "buy those things that we need against the feast." Can any one contend that this took place on the eve of Passover? Or, can any one claim that the Apostles then, on the evening mentioned in the text, observed the Passover rituals, when it is expressly told that they still had to buy things necessary for the feast?

This Evangelist, time and again, emphasizes that it was a day before Passover. But the Christian, as well as the Jewish apologists combine in telling John that he was mistaken, and that in reality it was either the eve of Passover, or else the Apostles really ate the paschal lamb a day ahead of the prescribed time. (See John, notes 96 and 98.)

13. "I will lay down my life for you," would seem to imply that Peter surmised and knew that his master's going away meant losing his life. (So Plummer, "John" XIII : 37.) This is inconsistent on the part of Peter who expressly stated (Mark IX : 31-34) that on another occasion none of the disciples understood Jesus, even though he told them explicitly that he would be killed.

14. John again follows his scheme of presenting Jesus in the light of a deity, not subject to human fears, and facing his ordeal with equanimity. Bernard ("John" XVII : 2) says: "It is specially mentioned by John that Judas knew the place. Jesus was not now trying to escape the arrest (cf. X : 40); for John is anxious to indicate that his surrender to his captors was voluntary. Jesus had told Judas to delay no longer the execution of his purpose (XIII : 27), and he proceeded the same night to a place

where Judas knew that he was accustomed to resort." (So Westcott, "John" XVIII : 2 .)

15. It is agreed by all Christian commentators that according to John, the arrest was effected by the Roman soldiers with their commanding officer, acting in co-operation with the Temple-police. "The captain or chiliarch," says Plummer ("John" XVIII : 12), "is the tribune or chief officer of the Roman cohort."

Gould ("Mark XIV : 43) says that the Greek term *speira*, denotes "the Roman cohort, or a detachment representing it, under the command of the chiliarch, its commanding officer." So Green ("Matthew" XXVI : 27), who adds that a cohort consisted of 500 or 600 men under a commander called a centurion.

Edersheim ("Life and Times of Jesus the Messiah," Vol. II, p. 541) says that the arrest was made by a "Roman detachment" with "servants from the high priest's palace, and other Jewish officers."

Geike ("Life and Words of Christ") agrees about the presence of a Roman detachment, but he as well as Didon ("Jesus Christ," p. 320), evidently relying upon the statement made by Luke (XXII : 52), include priestly aristocracy, doctors, and elders in the arresting party. Yet Christian apologists say that this was a "secret arrest" (Farrar, "Luke" XXII : 2; and others). (See Matthew, n. 107.)

16. That they came with "lanterns and torches," is peculiar with John. Plummer ("John" XIII : 3) says: "The word for 'lantern,' *phanos*, occurs here only in the New Testament." It is extremely doubtful whether the Jews even knew of the use of lanterns in the time of Jesus. In the Hebrew language there is no word for "lantern." In the Talmudic literature the word for "lantern" is *panos*, which term is also used in the Greek text of John. Wise ("The Martyrdom of Jesus of Nazareth," p. 55) says: "The Jews had no lanterns. There is no word for it in the Hebrew or the Palestinian dialects."

17. Annas had been deposed from the high priesthood nearly twenty years before by the Procurator Valerius Gratus, c. E. 14 (Josephus, "Antiquities" XVIII, ii, 2), for imposing and executing death sentences. Therefore, the statement made by Luke (III : 2): "Annas and Caiaphas being the high priests," is historically incorrect.

Klausner ("Yishu ha-Notzri," p. 368) states that the house of Annas was situated on the Mount of Olives not far from Gethsemane, and they took the Nazarene to the nearest seat of justice, to the house of Annas, for a preliminary examination.

This contention is untenable. It has already been proven before (p. 445), that in the Jewish system of law and procedure there was no such thing as a preliminary examination. Furthermore, there exists no evidence at all that Annas, as ex-high priest, was entitled or empowered to investigate cases of any kind. Husband ("Prosecution of Jesus," p. 110) says: "No adequate justification can be discovered for a conversation between Annas and Jesus as the preliminary to formal trial."

Besides, the record of the examination as recorded by John is so ambiguous and uncertain, that to this very day all Christian authors agree that it is difficult to decide whether the examination was made by Annas or Caiaphas. Carr ("Matthew" XXVII : 57-68) remarks: "It is not clear whether the private examination, related by John XVIII : 19-23, was conducted by Annas or Caiaphas." Plummer ("John" XVIII : 15) says: "The high priest—Caiaphas is meant; but as deposed high priests still kept the title sometimes (Luke III : 2; Acts IV : 6), it is possible that Annas is intended."

18. It seems that some modern Christian commentators have been at a loss to rectify the statement made by John that the Jews obtained a detachment of Roman soldiers from Pontius Pilate, and to explain what became of these soldiers while the Jewish officers were warming themselves for several hours in the palace of the high priest. They realize that it was not likely that several hundred soldiers and officers entered the palace of the high priest with the prisoner and stood there warming themselves together with the servants of the high priest, Peter among them. So Bernard ("John" XVIII : 18) makes a definite statement, as though he himself had been present there: "The soldiers had gone to their barracks, the Temple police being sufficient guard."

That the Roman soldiers would not have left their prisoner in the custody of the Temple police, has already been pointed out by Husband, quoted on pp. 458-9.

19. In this instance, Jesus had an opportunity to put the great moral precept (Matthew V : 39), "whosoever shall smite thee on the right cheek, turn to him the other also," into practice. But instead of turning his unsmitten cheek, he rebuked the officer. It is difficult to explain this inconsistency.

Bernard ("John" XVIII : 23) attempts to justify Jesus' action by remarking: "This dignified reply shows that the precept of Matthew V. : 39 is not always to be obeyed to the letter." It is to be admitted that every rule has its exceptions. In this particular instance, however, Jesus made the exception the first time

in his life such an opportunity presented itself to him, and at no time during his lifetime did he practice the principle he taught. His most devout followers, therefore, as Christians, have adopted the same attitude toward precept and practice throughout the ages. Abjuring war, they have fomented and encouraged it; censuring intolerance, they have incited pogroms; praising mercy, they have shamed barbarians in the cruelest exercise of power. They have become skilled not only in separating words and action, but even in the use of one set of words to negate another. Thus, while speaking of "turning the other cheek," they quote with equal authority the words of Jesus (Matthew X : 34 ff.): "Think not that I am come to send peace on earth: I came not to send peace, but a sword, etc." (For a full discussion of this topic, see pp. 388-94.)

20. And Peter warms himself again. He first warmed himself in the palace of the ex-high priest Annas (verse 18, *supra*), and now he keeps on warming himself in the palace of the high priest Caiaphas. It is very likely that this incident is an interpolation put in by some other writer who started the narrative from this account of Peter's warming himself in the palace of Caiaphas as related in the Marcan and Lucan Gospels (Mark XIV : 54; Luke XXII : 55-56).

21. Edersheim ("The Life and Times of Jesus," Vol. II, p. 548) says: "'Another disciple,' evidently John." Bernard ("John" XVIII : 15) says: "The view most generally taken as to the personality of this 'other disciple' is that he was John the Beloved Disciple, whose reminiscences are behind the Gospel, and whose identity is veiled in some degree." Westcott ("John" XVIII : 15) states: "The reader cannot fail to identify the other disciple with John."

22. Naturally it is difficult to explain why the Roman Procurator opened court so early. Christian authors have had to advance many peculiar reasons for the early hour. Bernard ("John" XVIII : 28) says: "Pilate must have known already that Roman soldiers had been sent to arrest Jesus the night before (v. 3), and he may have been warned to be ready at an early hour."

This explanation which, by the way, is perhaps the most plausible considering the illogical reasons advanced by others, is nevertheless untenable. In the first place, no soldiers could have been sent to make an arrest without first having obtained a warrant from the Roman Procurator, and without the accusers' stating specifically the nature of the charge. Secondly, no one would dare *warn* the Procurator to be in his Praetorium at an early

hour, for this would imply that the Jewish jurists and Pilate had formed a secret conspiracy against the Nazarene.

Thirdly, no Roman soldiers could have been procured by the Jews under the circumstances as related in this Gospel. (See pp. 458-9; John, n. 18.)

Fourthly, from the proceedings described in the Gospels, it is evident that Pilate had no knowledge whatsoever of the nature of the charge against Jesus. And without such knowledge Pilate would never have permitted his soldiers to make the arrest. If he had permitted a warrant of arrest to be issued, he would certainly have known the nature of the accusation, and in trying the prisoner, he would not have asked "what accusation bring ye against this man?" as stated in verse 29. He would have demanded instead that they produce evidence to prove their accusation mentioned in the warrant.

23. Plummer ("John" XIX : 3) says: "Like the Procurator, they mock the Jews as well as their victim." Farrar ("Luke" XXIII : 38) says: "The jeers of the soldiers were aimed at the Jews in general quite as much as at the Divine Sufferer." This is the opinion of most Christian authors. But do they also accept the statement made by Peter (Mark XV : 15) that "Pilate, *willing to content the people*, released Barabbas, etc."? Did Pilate first try to please the Jews and then avail himself of every opportunity to heap abuse upon them? Is this consistent?

24. Plummer ("John" XIX : 5) says: "In pity rather than contempt." Christian logic again! What a sense of pity this Roman tyrant must have had! He metes out a most horrible punishment to an innocent man, "in whom he found no fault at all" (XVIII : 38), having him scourged and permitting his cruel soldiers shamefully to abuse him. Then he brings forth his bleeding and humiliated prisoner wearing a crown of thorns and arrayed in a purple robe, and displays him to an infuriated mob, exclaiming, "Behold the man." Yet, a Christian author puts pity in this Pilate's heart, and not contempt. This must be some concept of Christian pity, no doubt!

25. See pp. 504-5, where it is proven that in the Hebrew language there is no word *gabbatha*, meaning "pavement."

26. Plummer ("John" XIX : 14) remarks: "These words are spoken in bitter irony. This man in his mock insignia is a fit sovereign for the miserable Jews." But the Jews did not claim that Jesus was their king. Are they not accused of having brought him to Pilate as a prisoner for the very reason that he claimed kingship over them? Christian logic again!

27. Bernard ("John" XIX : 16), Plummer ("John" XIX : 16) and others reasonably claim that "to them" means "to the priests." But is it not most ridiculous to contend that Pilate delivered a man to the Jews to be crucified? In the first place, the Jews knew nothing at all about this method of execution. Secondly, it was not the practice among the Romans to deliver a convict into the hands of the accusers for execution. Possibly, the Johannine text means that Jesus was delivered to the Roman soldiers, and this is but another example of carelessness on the writer's part. (See Mark, notes 185 and 200; John, n. 131.)

28. Plummer ("John" XIX : 21) remarks: "The addition 'of the Jews' is remarkable, and it occurs nowhere in the New Testament." This is not remarkable at all. It is simply additional proof that the Johannine Gospel, at least in part, was written by a non-Jew. (See John, notes 40, 99, 148, 191.)

29. The purpose of fulfilling the Scripture is not mentioned by any of the three Synoptists (Matthew XXVII : 35; Mark XV : 24; Luke XXIII : 34). The Scripture referred to in the Johannine text is Psalms XXII : 19.) (See pp. 485-6 and 493-5 where it is proven that this chapter does not contain the slightest hint of a reference to Jesus.)

30. No matter how hard Christian theologians may try, they cannot explain away the fact that Jesus was disrespectful to his mother, in express violation of his Father's command, who ordained in the Decalogue: "Honor thy father and thy mother" (Ex. XX : 12; Deut. V : 16). Also "Ye shall fear every man his mother and his father" (Lev. XIX : 3).

No one can deny that for a son to address his mother as "woman" implies a rebuke; it shows that he does not respect his mother. Christian commentators contend that the Greek term used in the Gospel text does not necessarily imply a rebuke, as it may be translated "lady." The same Evangelist, however, records that on a different occasion, Jesus said to his mother (John II : 4): "Woman, what have I to do with thee?" It must be admitted that whenever this expression is used it is used as a rebuke. Plummer ("John" XIX : 26) admits: "'Women' of course implies no rebuke; the Greek might more fairly be rendered 'lady.' But 'what have I to do with thee?' *does* imply rebuke, as is evident from other passages where the phrase occurs, Judg. XI : 12; I Kings XVII : 18; II Kings III : 13; Matthew VIII : 29; Mark I : 24; Luke VIII : 28."

In Luke XXII : 57, Peter in addressing the slave girl who recognized him, used the same Greek term rendered by "woman,"

supposed to have been used by Jesus when addressing his mother. In other words, Peter addressed a slave girl with the same polite term as Jesus addressed his mother.

31. The incident mentioned by John (verses 26-27) is not recorded in any other Gospel (Matthew XXVII : 45-50; Mark XV : 33-37; Luke XXIII : 44-46).

32. Bernard ("John" p. 635, Sect. 5) says: "That John should have specially recorded this word (I thirst) is in keeping with the emphasis laid, throughout the Fourth Gospel, on the *humanity* of Jesus. As he asked the Samaritan woman for water when he was thirsty (IV : 7), so now. John is anxious to expel the Docetic doctrine (I John, IV : 2), and both here and at XIX : 34 he brings out recollections of the Beloved Disciple which forbid any theory of Christ's Person that does not recognize his manhood. Jesus was *thirsty* at the cross."

This theory is entirely untenable. Just the reverse is proven. This Evangelist omitted all accounts contained in the Synoptics, concerning the Passion, which emphasize the human side of the Nazarene: the Agony at Gethsemane, Jesus' cursing Judas Iscariot when he foretold the betrayal by him, etc. The contradictions, again, are simply the result of too many authors having had a hand in writing the Gospel. (See John, n. 34.)

33. The phrases employed in this text are unclear. Plummer ("John" XIX : 29) says: "Who were the actors and what was their motive? Who filled a sponge with vinegar—Jews or Roman soldiers? Was it compassion or mockery?"

34. Of course, it is inexplicable why John omitted the utterances by Jesus of the verse in Psalm XXII : "Eli, eli, lama sabachthani," which is recorded in Matthew (XXVII : 46) and in Mark (XV : 34). Bernard ("John" XIX : 27) advances two reasons for the omission. He says: "It may perhaps be explained as due to the absence of the eyewitness at this point. The aged disciple recalls only his own personal experiences." It is superfluous to state that this explanation is far-fetched. But what about all the divinely inspired accounts of incidents witnessed by none of the disciples?

This author advances a second excuse: "Another possible explanation is that John has omitted this saying because he wishes to emphasize the voluntary character of Christ's death." Does this author mean that John was capable of juggling facts according to convenience to give Jesus a character which in reality he did not possess? (See John, n. 36.)

35. This incident is not recorded by any other Evangelist

(Matthew XXVII : 54-57; Mark XV : 39-42; Luke XXIII : 47-50).

36. The Johannine statement has greatly puzzled Christian authors. They cannot admit, of course, that this account, mentioned by John only and not by any other Evangelist, is a mere invention, a crude attempt to conform with a Scriptural text (Zechariah XII : 10). They thus resort to extremely unsound propositions. (See pp. 496-7 where it is explained that the Zechariah text was misinterpreted.)

Bernard ("John" XIX : 34) says: "The language of the text suggests that the soldier was determined to make sure that Jesus was dead.

"It has, however, been frequently urged (*e. g.* by Westcott and Godet) that we must not expect a complete physical explanation of this incident; inasmuch as, according to the apostolic teaching, the body of Christ did not suffer corruption after his death (*cf.* Acts II : 31). He truly died, but the physical changes which succeeded death in our experience did not necessarily follow in his case. We may not assume that the Death of Christ was exactly like the death of an ordinary human being. This view of the matter was put forward by Origen. In dead bodies, he says, blood is clotted and water does not flow, but from the dead body of Christ blood and water issued, and here was a miracle (*c. Celsus*, II : 36).

"But it is more probable that John wishes to refute the Docetic doctrines prevalent when the Gospel was composed."

That Jesus did die, they must admit, otherwise there could have been no resurrection. To justify the myth, therefore, that blood and water came out of Jesus' body after death, they have to resort to miracle and warped imagination.

If Christians contend that "the body of Christ did not suffer corruption after his death," can they explain how he ascended to heaven, was it bodily? If so, is he still sitting on the right hand of God clothed in flesh and bones? And if his spirit only ascended to heaven, then what became of his body. He walked and talked and ate (Luke XXIV : 43; John XXI : 13, 15) and called names and explained Biblical quotations [supposedly] (Luke XXIV : 25 ff.) and was touched (Luke XXIV : 39; John XX : 27; Matthew XXVIII : 9), and then suddenly he rose up to heaven. What, then became of his body which never went through changes, according to the Christian contention? (See John, n. 273.)

37. This refers to the Mosaic injunction concerning the paschal lamb to be sacrificed by the Jews in Egypt (Ex. XII : 46;

Num. IX : 12). There can be little doubt that the texts in the Gospels where these simple Biblical references are made to apply to the Nazarene were written after the collections of the "Testimonia" (Old Testament proof texts) were made by the early Christians. (See Luke, n. 257.)

38. Nicodemus is not mentioned by any of the three Synoptists (Matthew XXVII : 57-60; Mark XV : 43-46; Luke XXIII : 50-53).

39. No custom of burying the dead in a mixture of spices was prevalent among the Jews. The only such burial mentioned in the Bible is that of King Asa (2 Chron. XVI : 14), and as he was an idol-worshiper, it is likely that the custom was adopted from some neighboring pagan land. But even if there had been such a custom among the Jews, what need was there for such a large quantity, 1200 ounces? (That is, if we accept the explanation of Westcott, "John" XIX : 23, that it was a hundred Roman pounds of merely 12 ounces.) (See John, n. 251.)

40. Here is further proof that at least a great part of the Johannine Gospel was written by a non-Jew. The expression "Jews' preparation day," is hardly likely to have been written by a Jew. Plummer ("John" XIX : 42) comments: "The Jews' preparation day—perhaps another slight indication that the Gospel was written outside Palestine. One writing in the country would hardly have added 'the Jews.' Or the addition 'of the Jews' may point to the time when there was already a Christian 'Preparation Day.' " We can advance many suggestions, but the most reasonable one would seem to be that it was written by a non-Jew.

41. See p. 510 where it is proven that the term "Rabboni" was incorrectly used.

42. See John, n. 275.

43. John, n. 277.

44. Luke (XXIV : 39) states that Jesus, wishing to convince his disciples that they did not see a spirit but him in the flesh, said to them: "Behold my hands and my feet, that it is I myself." He made no mention of *his side*. Is it possible that Jesus himself had no knowledge of the "piercing of his side"?

45. At no time is it mentioned that the holy spirit is transmitted through the breath, but according to Biblical assertions, it is transmitted through the hands of the blesser in contact with the one who is to be sanctified (Num. XXVII : 18-20; a. fr.).

46. See John, n. 294.

47. See p. 364 ff.

48. Why is the writer of the Johannine Gospel reluctant

to mention the names of these two disciples? Were they unworthy of mention?

49. See John, n. 297.

50. It is difficult to explain why they did not dare ask him. Did they not already see him and hear him speak twice before (John XX : 19, 26)?

51. See John, n. 304 for the explanation of this expression.

52. There can be little doubt that this account was invented by the writer of this text to prove Peter worthy of being the Rock upon whom the Church will be built. The three questions by Jesus and the three answers by Peter declaring his love of Jesus offset his three denials of Jesus. (See John, n. 305.)

53. It would seem from the verse that follows where it is stated, "then Peter, turning around," that Jesus' command "follow me," is to be interpreted literally. The meaning is somewhat obscure: where was he to follow him? Was this purposeful obscurity to make it seem mysterious

54. History never hides identities of heroes. If it really was John, why did he deem it advisable not to mention his name?

55. A most peculiar method of proving the truth of statements. A mysterious person attests that his testimony is true by stating "And we know that his testimony is true!" Who is the "we"? Mystery upon mystery!

56. The Johannine Gospel says nothing at all about the conspiracy of the Jewish dignitaries related by the three Synoptists (Matthew XXVI : 3-5; Mark XIV : 1-2; Luke XXII : 1-2).

57. John joins Mark (XIV : 1) and Luke (XXII : 1) in omitting Jesus' prophecy of his betrayal as told by Matthew (XXVI : 1-2).

58. Matthew XXVI : 7; Mark XIV : 3.

There has been a great deal of speculation among Christian commentators as to whether or not the anointing described in the Johannine Gospel is the same as the one mentioned in Matthew (XXVI : 6-13) and Mark (XIV : 3-9). That it is probably the same incident is borne out by the following parallelisms: (1) The incident takes place in the same locality, Bethany. (2) The same objections are raised against the extravagant use of the oil by the woman. (3) The object of the anointing is the same, preparation for burial. (4) The Nazarene's claim to precedence over the poor is likewise identical.

Gould ("Mark" XIV : 3) says: "On the other hand, there is every indication that the event is the same as that in John XII : 1-8."

Salmond ("Mark" XIV : 3-9) comments: "The narration in Mt., Mk., and Jn. appear clearly to refer to one and the same occasion."

Bernard ("John," p. 410) states: "We may say with confidence that the Marcan and Johannine narratives are versions of the same story, John having corrected Mark where he thought it necessary to do so." Very strange! How can two true accounts of the same incident differ? For instance, no one can claim that Mark's *head* is the same as John's *feet*, and that Mark's *two days before passover* is the same as John's *six days before passover*. Are these discrepancies mere corrections?

Besides, divinely inspired authors should not presume to correct other divinely inspired authors. Was not Peter, the alleged author of "Mark," as familiar with the facts as John? It is impossible to fathom the logic of these Christian apologists. In one breath they say that every word of the Gospels is true, and in the next breath they tell us that the incorrect statements of one writer of the Gospels were corrected by another.

59. Mary presumably was Mary Magdalene, because she was the only Mary in the company of Jesus who possessed the means to procure such precious oil. Such is also the opinion of Light-foot.

60. Matthew XXVI : 7; Mark XIV : 3. Salmond ("Mark" XIV : 3) attempts to reconcile this discrepancy between the Synoptic and Johannine narratives, by stating "In John's narrative Mary anoints the *feet* of Jesus. It may be that the perfume, poured in a lavish gush upon the head, streamed down upon the feet, or that head and feet were anointed in turn." Isn't this very logically explained?

61. Swete ("Mark" XIV : 9) states: "He who received not glory from men (John V : 41) knew how to appreciate to the full the homage of sincere love."

62. Bernard ("John," p. 411) wonders "Why should Mary of Bethany appear with dishevelled hair and use this instead of a towel? Why should she anoint the feet of Jesus at all? . . . And why should Mary wipe off the unguent once it was applied?"

63. Matthew XXVI : 8; Mark XIV : 4.

64. Gould. ("Matthew" XXVI : 4) remarks: "John says it was Judas Iscariot, and attributes it to his peculating habits, which this interfered with. It is part of John's evident attempt to belittle Judas."

65. No trace of any such custom of anointing one's feet can be found either in the Bible or in the Talmud. There was no

such custom among the Jews. Bernard ("John" XII : 3) admits: "A perfumed anointing of the *feet* (as distinct from washing them, of which there is no mention here) is a custom not mentioned in the Scripture elsewhere than here and Luke (VII : 38)."

66. See p. 350 where this topic is fully discussed.

67. See Matthew, n. 11.

68. Matthew XXVI : 11; Mark XIV : 7.

69. See John, n. 5.

70. Matthew (XXVI : 13) and Mark (XIV : 9) report that Jesus praised the woman's act, saying that she deserved everlasting fame for it. And a Christian author remarks (Westcott, "John" XII : 8): "It is rather remarkable that the promise of the act of love (Matthew XXVI : 13; Mark XIV : 9) is omitted by the one Evangelist who gives the name of the woman who showed this devotion to her master."

71. Matthew XXVI : 14-16; Mark XIV : 10-11; Luke XXII : 3-6.

72. At this stage of drama, John fails to mention the compact of betrayal between the chief priests and Judas Iscariot. As this Evangelist was so embittered against Judas that he branded him a "thief" (XII : 6), it is hardly probable that he would have consciously omitted the additional proof of Judas' villainy that he had covenanted to betray his master for the paltry sum of thirty pieces of silver. (See John, n. 64.) The reason for this omission is obvious: he had never heard of this incident.

73. Matthew XXVI : 17-19; Mark XIV : 12-16; Luke XXII : 7-13.

74. This Evangelist takes issue with the Synoptists, claiming that the Last Supper occurred on the night before the eve of Passover (XIII : 1, 29; XVIII : 28; XIX : 14). (See pp. 372-8, where this difference between the Evangelists is fully explained and discussed.)

75. Luke XXII : 8-13.

76. John XIII : 28-29; XVIII : 28.

77. This evidently took place in the house where Lazarus had been with his two sisters, Martha and Mary, who anointed Jesus' feet (John XI : 1-3). Although this Evangelist fails to date this incident, it would appear from the context that the entire action, through chapter XVII and beginning of chapter XVIII, where the narrative is resumed, occurred on the evening of the thirteenth of Nisan, one day before the Passover.

78. Matthew XXVI : 20-29; Mark XIV : 17-25; Luke XXII : 14-25.

79. See John, n. 9.

80. As there can be no doubt that Judas' feet, too, were washed by Jesus on that occasion, what further proof is needed that the Nazarene had no foreknowledge that his trusted treasurer would betray him?

One is inclined to believe with Strauss ("Leben Jesu" Sect. 86, p. 542, ed. 1864) and Keim ("Jesus of Nazareth," V, p. 341, n.) and others, who regard the feet-washing recorded in John as a fictional illustration of Luke XII : 37 and XXII : 27.

81. See Matthew, n. 14.

82. Christian authors not only plunge into paganism in their anxiety to emphasize Jesus' divinity, but they distort even the Gospel texts in doing so.

The Johannine text quotes Jesus as having said to his disciples: "Ye may believe that I am *he*." The simple, obvious interpretation of this phrase is that the *he* whom Jesus claimed to be was the Christ, the Messiah, the son of God. But this explanation is not sufficiently abstruse to please the apologists.

Bernard ("John" XIII : 19) says: "Ye may believe that I am *he*. It is an instance of the employment of the phrase as the equivalent of *ani hu*, I (*am*) He, which is the prophetic self-designation of Yahweh in the Old Testament. Jesus assumes to himself this prerogative 3 times in John: here; in XVI : 4, and again in XIV : 29."

Plummer ("John" VIII : 24) explains: "That I am *he*—better than I AM. It not merely means 'that I am the Messiah,' but is the great name, which every Jew at once understood, I AM."

In other words, these authors would have us believe that Jesus assumed for himself the title of the Father and not of the son. From a Jewish religious point of view, this is the highest degree of idolatry. (See John, n. 294.)

83. See John, notes 32, 34 and 36.

84. Matthew XXVI : 21-25; Mark XIV : 19-20.

85. Matthew XXVI : 19-21; Mark XIV : 16-18; Luke XXII : 13-14; 20-21.

86. Matthew XXVI : 17-19; Mark XIV : 12-16; Luke XXII : 7-13.

87. Although the Johannine Gospel does not expressly say so, it is the consensus of opinion among Christian authors that John, the son of Zebbedee, was the mysterious, unnamed Beloved Disciple. (See John, n. 21.) This may be explained by their urgent need of at least one eyewitness, and here they found an excellent

opportunity to provide one.

88. Thus John differs with Matthew who says (XXVI : 25) that Jesus replied "thou hast said" to Judas' inquiry, "Master, is it I?" Mark makes no mention of an identification at all (Mark XIV : 19-20), but has Jesus answer evasively to the inquiry of his disciples. The Lucan Gospel (XXII : 21-24) makes mention neither of the disciples' inquiries nor of Jesus' answer.

89. Bernard ("John" XIII : 21) says: "All the Evangelists (Mark XIV : 18; Matthew XXVI : 21; Luke XXII : 21) agree that this alarming announcement was made for the first time at the Last Supper; even then, Jesus gave no clue as to who the traitor was. Indeed, if he had done so, Judas could hardly have escaped with his life." (See Matthew, n. 21.)

Matthew (XXVI : 25) expressly states that Jesus identified Judas as the traitor by telling him, "thou hast said." John expressly tells us that Jesus identified Judas as the betrayer by giving him the sop, as he told his Beloved Disciple he would. Consequently, Bernard's excuse for the disciples' indifference in this case is extremely weak. From the evidence of the Gospel narratives we must conclude that the disciples were simply dull and cowardly.

Westcott, as though he were present at the Last Supper, knows ("John" XVIII : 27): "These words were spoken openly; those in 22-26 secretly." Thus Christian authors place interpretations on the Gospel texts to suit their conveniences.

90. Westcott ("John" XIII : 25) defines the term "bosom" in the Johannine text, as "the full fold of the robe, with the 'breast,' the actual body."

91. Search as one may, one is unable to find a trace anywhere in Biblical or Talmudic literature to substantiate the Johannine statement, that it was customary for a leader of any movement, or for a teacher, to have his favorite follower or disciple lie on his bosom during meals as a token of love and affection.

92. See Luke, n. 17.

93. Matthew XXVI : 14-15.

94. See Matthew, n. 14.

95. Matthew XXVI : 25-26; Mark XIV : 20-22; Luke XXII : 21-23.

96. The writer of this Gospel makes no reference to the institution of the Last Supper as described in the Synoptics (Matthew XXVI : 26-29; Mark XIV 22-25; Luke XXII : 17-20). The reason for this omission is obvious. It has been proven conclusively (pp. 374-7) that this Evangelist contradicts the Synoptists, and he holds that the arrest and trial by the Sanhedrists did not

take place on the evening of the fourteenth day of Nisan, that is on Passover-eve, but on the evening of thirteenth of this month, a day before the Passover.

The Nazarene with his Apostles, consequently, could not have had the Passover lamb slain before the prescribed day which according to the Law of Moses (Ex. XII : 6; Lev. XXIII : 5; Num. XXVIII : 16), must be the evening of the fourteenth day of Nisan. The priests at the Temple would not have violated the law of God by slaughtering the paschal lamb for Jesus and his disciples a day ahead of time. (See Stapfer, "Palestine in Time of Christ," p. 442, n. 3.). And since the Nazarene and his Apostles did not observe the Passover rites at all during this last meal, he could not have instituted the Eucharist. This is too obvious to require further elaboration, but many Christian authorities still seem to overlook this fact. (See n. 98 below.)

97. There can be no doubt that, according to the text, not one of the disciples understood Jesus. Westcott ("John" XIII : 28) says: "No man . . . not even St. John, who did not connect this injunction with the announcement which he had just received." Bernard ("John" XIII : 28) remarks: "None of the disciples understood what was the reference of this injunction 'Do it more quickly,' which had been said aloud so that all could hear it. This explicit statement must include the beloved disciple as well as the rest."

If that was the case, then Matthew Henry ("Commentary, John" XIII : 1-7, 1 (1) end) rightly remarks: "They (speaking of the Twelve) were weak and defective in knowledge and grace, dull and forgetful; yet, though he *reproved* them often, he never ceased to *love* them, and *take care* of them."

98. Bernard ("John" XIII : 29) admits: "This indicates that the Passover was still to come, and that the Last Supper, for John, was not the Passover meal; for had it been Passover night, nothing could have been bought." (See John, notes 12 and 96.)

99. This indicates that the writer of many parts of the Johannine Gospel was a non-Jew, which explains why he slips into the error of unnecessarily mentioning "Jews". (See John, n. 28.)

100. Lev. XIX : 18.

101. Babli, Shabbat 31a.

102. No Christian can contend that the Nazarene did not know the Leviticus text, because according to Matthew (XXII : 39) and Mark (XII : 31), Jesus himself quoted this text, "Love thy neighbor as thyself."

Some Christian authors go to extremes in attempting to ex-

plain the ignorant expressions in the Gospels. They know, for instance that the "neighbor" of the Old Testament (Lev. XIX : 18) is not as wide in range as the "neighbor of the New Testament"; also that the "motives" are not the same.

Westcott ("John" XIII : 34) says: "See Luke X : 29, 36 for the wide range of the term 'neighbor' of Lev. XIX : 8.

"In this case the 'newness' of the commandment (which was old in the letter, Lev. XIX : 18; Luke X : 27) must be sought in the newness of the motive and of the scope."

The term "neighbor" in Luke is given a *narrow* and not a *wide* range, because it is limited to one who is benevolent and kind, hence the love due him is motivated, as is exemplified by the Samaritan. Whereas the "neighbor" in the Mosaic Law is unmotivated and unlimited. It is extended even to a stranger. (Deut. X : 19): "And ye shall love the stranger, because ye were strangers in the land of Egypt." (See pp. 389 ff.)

103. Mark XIV : 31.

104. So Luke (XXII : 31-32), both differing with Matthew (XXVI : 31) and (Mark XIV : 27) who averred that Jesus had said to all his disciples: "All ye shall be offended," etc.

105. This Evangelist agrees with Luke (XXII : 31-32) that at this point the Nazarene made no prediction, as recorded in Matthew (XXVI : 32) and Mark (XIV : 28), that he would rise again and walk before them in Galilee.

106. Matthew XXVI : 34-35; Mark XIV : 30-31. John is in agreement with Luke (XXII : 33-34).

107. Matthew XXVI : 35; Mark XIV : 31.

108. In agreement with Matthew (XXVI : 34) and Luke (XXII : 34); all three disagree with Mark (XIV : 30) that Jesus had predicted two crowings.

109. This Evangelist joins Matthew and Mark in opposition to Luke (XXII : 35-38) who states that the Nazarene had instructed them to procure swords.

110. According to Matthew (XXVI : 30) and Mark (XIV : 26), it took place on the Mount of Olives where the saintly group went after the Passover ceremonies. According to Luke (XXII : 14-39), it took place somewhere in Jerusalem, in the house where they celebrated the Passover, before they went up the Mount of Olives. According to this Evangelist, it took place in Bethany. Reliable recording of an important case!

111. Matthew XXVI : 36-46; Mark XIV : 32-42; Luke XXII : 39-46.

112. Bernard ("John" XVIII : 1) remarks: "John does not

insert at this point any account of the Agony in Gethsemane; but the allusion to 'the cup which my Father gave me' (XVIII : 11) indicates that the omission was not due to ignorance."

Maybe so. But the question remains: why did John deem it advisable to omit the Agony from his Gospel? Is this another case of characterization by choice rather than truth? Would it have been ethical for John to state as he did (XVII) that Jesus was calm and resigned to his fate when, in truth, "his soul was exceeding sorrowful, even unto death" (Matthew XXVI : 38; Mark XIV : 34), and "his sweat as it were great drops of blood falling to the ground" (Luke XXII : 44)?

Accordingly, even Bernard (*l. c.*) remarks further: "It has been suggested, indeed, that the Prayer of the Agony, if it followed here, would be inconsistent with the Prayer of Consecration and Farewell that John has first placed on record; so different are the sublime calm and dignity of chapter XVII from the sadness and shrinking of 'remove this cup from me—yet not what I will, but what thou wilt.'"

If one admits that the Gospel-writers did not adhere to actual facts, but omitted some accounts and added others to suit their preference, then nothing in their texts can be automatically accepted as authentic or true.

113. Matthew XXVI : 14-16; Mark XIV : 10-11; Luke XXII : 3-6.

114. This is the first mention in the Johannine Gospel of the conspiracy between the chief priests and Judas Iscariot. Yet the writer speaks of it as if it were a well-known fact. This bears out the contention that the Gospels were put together eclectically by unskilled hands. (See John, notes 170 and 258.

115. See John, n. 15.

116. Matthew XXVI : 65-66; Mark XIV : 63-64.

117. This refutes the theory advanced by some authors that the Sanhedrin that tried Jesus was composed of members of the Sadducean party only. (See pp. 409-11 where this topic is fully discussed.)

118. Whatever the theory was that John wished to advance by omitting the kiss and the bargain of betrayal (see John, n. 112), it is obvious that there is a serious discrepancy in the testimony adduced by the Evangelists about what is supposed to have taken place. The three Synoptists insist that Jesus was pointed out to the captors by means of Judas' kiss, while John insists that Jesus surrendered himself. Certainly no one can reconcile this contradiction.

119. It is obvious that this writer bears a bitter hatred toward Judas Iscariot, scathing him constantly and heaping denunciations upon him. He even goes out of his way to do so. (See John, n. 64.)

120. John joins Matthew (XXVI : 47) and Mark (XIV : 43) in contradicting Luke's story (XXII : 52) that "chief priests, captains of the temple, and elders" were included in the arresting party.

121. Bernard ("John" XVIII : 6) says: "The words which follow, 'they retired and fell to the ground,' then imply no more than that the men who came to make the arrest (some of whom at least did not previously know Jesus even by sight) were so overcome by his moral ascendancy that they recoiled in fear."

Plummer, however, differs; he states ("John" XVIII : 6): "As soon as he hath said—The Evangelist intimates that what followed was the immediate consequence of Christ's words."

122. Matthew XXVI : 48-49; Mark XIV : 44-45; Luke XXII : 47-48.

123. This is inferred by Christian commentators from the expression (XVIII : 2): "And Judas also, which betrayed him, knew the place."

124. Matthew XXVI : 56; Mark XIV : 50.

125. Luke (XXII : 51-52) is non-committal: he fails to tell what happened to the disciples. However, from his statement (*l. c.* verse 54) that Peter followed Jesus from afar, it is evident that the rest of the disciples were not present.

John, not wishing to present himself and his colleagues as cowards who fled and abandoned their worshipful master, contradicts Matthew and Mark. An historic fact may at times be colored by the historian to suit his own fancy or his personal opinion. But certainly no honest historian would dare substitute a contradictory account because the true fact does not meet with his personal approval. This is exactly what either this Apostle or Matthew and Mark have done. At least one of the narrations must be historically false.

126. Matthew XXVI : 55; Mark XIV : 48-49; Luke XXII : 52-53.

127. John XI : 53-54.

128. Even a Christian commentator must admit that this constituted a serious offense in Roman as well as in Jewish law. Bernard ("John" XVIII : 26), speaking of Peter's denial as recorded in the Johannine Gospel, says: "The temptation to say 'No' was even greater this time than before, for the mention of

the blow struck at Malchus' kinsman suspected Peter of having been the assailant. Had Peter been arrested on this count, he would have been dealt with very severely. To be a 'disciple' of Jesus was not a legal offense, although the confession of it might lead to trouble; but to have drawn a weapon and assaulted one of the high priest's household was another matter."

This statement is not in conformity with the principles of Jewish jurisprudence. If Jesus had been convicted by the Sanhedrin of the capital offense of *mesith*, (instigating people to embrace idol-worship) as he could have been according to Jewish law, his worshippers would have been punishable, as idol-worshippers, with death by stoning. (See pp. 424-436 where the law of *mesith* is fully explained.)

129. Agreeing with Matthew (XXVI : 51 ff.) and Mark (XIV : 47 ff.) and disagreeing with Luke (XXII : 51).

130. Matthew XXVI : 52.

131. It has already been pointed out (John, n. 15) that, according to the Johannine Gospel, among the captors of Jesus there was a Roman cohort with their captain. This author, however, goes out of his way at all times to mention Jews, but never again does he mention the Romans. This was an attempt made by the first Christians to put the entire guilt upon the Jews. Even to this very day many Christian scholars are blinded by their intense hatred toward the Jew, and by their misinterpretations and perverted logic put the guilt on the Jews.

Westcott ("John" XIX : 16b, 18) is brazen enough to offer the following explanation: "Pilate 'delivered up' and the 'chief priests received Jesus' . . . They 'received' and 'crucified' Him (v. 18), though the Roman soldiers were their instruments (v. 23; Matt. XXVII : 27). The act was theirs, even while they carried it on "by the hand of lawless men (i. e., Gentiles)' Acts II : 23; comp. III : 15).

"*They crucified, i. e. the Jews, not indeed directly but acting through the Roman soldiers (v. 23), to whom the charge of the execution was committed.*" (See Mark, notes 185, 200, and John, 27.)

132. Matthew, Luke, and John omit the Marcan account of the naked young man (Mark XIV : 51-52).

133. Matthew XXVI : 57; Mark XIV : 53; Luke XXII : 54.

134. It is remarkable that a Christian author should dare to admit that one of the divinely inspired Apostles was mistaken. But Bernard ("John" XVIII : 13) bluntly says: "But Matthew inserts the name *Caiaphas* at this point, in which he seems to have

been mistaken." Did Matthew, then, report from imagination?

135. See John, n. 17.

136. The description given by this writer of the high priest Caiaphas is inaccurate and absurd. Did not this Evangelist know that the high-priesthood was not an annual appointment? Furthermore, Caiaphas was high priest in the Jerusalem Temple 23 to 36 c. E. He was deposed by Vitellius, legate of Syria, and was succeeded by Theophilus, son of Annas. So the description, "who was high priest that same year," is rather ridiculous for the purposes of identification, (see John XI : 49, where an even more ridiculous description of Caiaphas is given) unless it be justified by the fact that this Gospel was written many years after the period referred to in the Gospel.

137. See John, n. 21.

138. According to the other Evangelists (Matthew XXVI : 69; Mark XIV : 65-66; Luke XXII : 54-55), Peter gained admission into the palace of the high priest without the unnamed disciple's aid. This unnamed disciple is not mentioned by any of the other Evangelists. It is very likely that the writer of the Johanne Gospel brings in "the other disciple myth" to circumvent the objection raised as to how Peter, a common fisherman from Galilee, was able to gain entrance into the guarded palace (John XVIII : 16). The writer, however, could not very well mention the name of the disciple, because it was known that none of the Twelve, not even John, a Galilean fisherman, who together with Peter were attested in the New Testament to have been "unlearned and ignorant men" (Acts IV : 13), would be thus known to the high priest. By creating a mythical, mysterious, unnamed disciple, his account was not subject to denial.

139. Westcott ("John" XVIII : 15) admits: "It is very difficult to decide who is here spoken of under the title" (high priest). (See John, n. 17; Summations, n. 6.)

140. Matthew XXVI : 56, 58; Mark XIV : 50, 54.

141. Luke XXII : 54.

142. Matthew XXVI : 69; Mark XIV : 66, 67; Luke XXII : 55-56.

143. Matthew XXVI : 57, 69.

143a. Mark XIV : 68.

144. According to Matthew (XXVI : 68-69) and Mark (XIV : 65-66), the first denial by Peter was made after the trial of Jesus by the Sanhedrin.

145. See John, n. 139 and Summations, n. 6.

146. Matthew XXVI : 57-68; Mark XIV : 53-65.

147. We may justly apply here the suggestion made by McNeile ("Matthew" XXVI : 63): "Mark's statement (*v.* 59) that the evidence regarding the alleged utterance about the temple did not tally, would hardly have been omitted by Matthew, if he had known it; it was probably a later addition, to avoid the idea that a real charge had been found and proven." So it is likely that the writer of the Johannine Gospel omitted the entire alleged trial by the Sanhedrin for the same reason.

148. Here is further evidence that the writer of many texts in this Gospel was a non-Jew. A Jewish writer would not have attributed such an expression to the Nazarene.

149. Just another one of the many ambiguous expressions in the Gospels.

150. Bernard ("John" XVIII : 22) remarks: "It is obvious that conduct of this kind on the part of an underling would not have been permitted at a formal judicial sitting of the Sanhedrin." It must be added that conduct like that would not have been tolerated in any proceedings, whatever their nature, held before a high priest.

151. No part of this story related by this Evangelist (verses 19-23) is corroborated by any other Evangelist. It is to be assumed that it is a mere fiction, and a mighty poor one at that. There is certainly no literary genius displayed by the author of such fiction.

152. Matthew V : 39.

153. See John, n. 19.

154. Matthew XXVI : 56-57.

155. Bernard ("John" XVIII : 13) says: "Such irregular proceedings would not have been countenanced at a *formal* meeting of the Sanhedrin, but they were winked at in the courtyard of Annas' private house, which was the scene of Peter's denial and the reproachful look which Jesus bestowed on him (Luke XXII : 61)."

156. Matthew XXVI : 71; Mark XIV : 69; Luke XXII : 58.

157. Mark XIV : 68-69.

158. Matthew XXVI : 71.

159. Matthew alone claims (XXVI : 72) that Peter's second denial was made with an oath, thus stating that Peter not only lied but swore falsely. This Evangelist joins Mark (XIV : 70) and Luke (XXII : 58) in rejecting the testimony of Matthew.

160. Mark XIV : 70.

161. So also Matthew (XXVI : 73). Luke (XXII : 59-60)

asserts that the third identification was made by one man, but he does not mention that he was a kinsman of Malchus.

162. Matthew (XXVI : 74), Mark (XIV : 71).

163. John joins Matthew (XXVI : 75) and Mark (XIV : 72) in denying the statement made by Luke (XXII : 61) that the Nazarene after the third denial turned and looked at Peter.

164. Matthew XXVI : 75; Mark XIV : 72; Luke XXII : 62.

165. Matthew XXVII : 1; Mark XV : 1.

166. Luke XXII : 66-71.

167. See pp. 377-9 where it is proven conclusively that no such law had existed among the Jews.

168. Matthew XXVI : 17 ff.; Mark XIV : 12 ff.; Luke XXII : 7 ff.

169. See Matthew, n. 96.

170. Plummer ("John" XVIII : 29) says: "Pilate—introduced abruptly without explanation." This would again bear out the contention (John, notes 114, 258) that this Gospel was pieced together by an unskilled hand.

171. Plummer ("John" XVIII : 28) remarks: "It is probable that St. John followed him into the Procurator's court." Needless to add, of course, that this is a mere guess, not based on historic authority.

172. Modern Christian commentators see the inconsistency in the Johannine Gospel, and they try to explain it in various ways. Bernard writes ("John" XVIII : 29): "Pilate knew something of the case already; but it was necessary for him to be notified formally of the nature of the accusation brought against the prisoner." (See John, n. 22 where this theory is refuted.)

173. Matthew (XXVII : 11) and Mark (XV : 2) allege that Pilate, at the very beginning of the case, and before the Jewish accusers made any charge against Jesus, asked the prisoner: "Art thou the king of the Jews?" To this implied charge of treason against the Emperor of Rome, Jesus replied, "Thou sayest." As this reply is generally interpreted as an admission, it is clear that John contradicts the two Apostles.

174. Luke (XXIII : 2) alleged that the Jewish jurists preferred three distinct charges against the Nazarene. Thus John contradicts this Evangelist as well. These are serious contradictions and concern the very essence of the trial.

175. Bernard ("John" XVIII : 29) naively justifies this preposterous procedure by John thus: "The Jews are not sure of their case, and so they hesitate to specify the charge in explicit terms. They say in effect, 'This is our business; we would not

have brought the prisoner for sentence, if we were not satisfied with his guilt.'” No one with legal training would accept this absurd explanation, especially when John himself tells us (XIX : 12) that it was the Jewish jurists who finally forced Pilate to declare Jesus guilty of treason. Why did they not do so, then, at once? Luke, too, attests (XXIII : 2) that the Jewish jurists knew something about law and procedure, for he asserts that they at once preferred three distinct political charges against Jesus before Pilate.

176. Matthew (XXVII : 12-14) and Mark (XV : 3-5) allege that the Jewish authorities “accused Jesus of many things,” but the prisoner refused to reply to the charges in spite of Pilate’s urging. This Evangelist states that the Jewish jurists refused to name the charges against the prisoner, even when Pilate demanded to know them. Who of these witnesses tells the true story?

177. Any school boy could tell that this would have been impossible.

178. Matthew XXVI : 57-68; Mark XIV : 53-65 .

179. Westcott (“John” XVIII : 28) voices the opinion of the majority of Christian commentators, when he says: “The sentence was determined, but the Sanhedrin had no power to carry it out.

180. See pp. 337-342 where this statement made by John is discussed from an historical point of view.

Didn’t Pilate really know that the Jewish courts had been deprived of the *jus gladii*? It is ridiculous to state that Pilate did know, but simply wished to poke fun at the Jews and their helplessness. No Roman official, especially a personal representative of the Roman Emperor, would have conducted a trial in such a farcical manner. Plummer (“John” XIX : 6) justly remarks: “Below the dignity of a Roman judge to taunt the people with a suggestion he knew they dared not follow.”

181. Bernard (“John” XVIII : 32), in explanation of the Johannine text, says: “If the Jews had put Jesus to death by stoning, his death by crucifixion, of which he had already spoken (XII : 33), would not have taken place; and stoning was the Jewish penalty for blasphemy, of which the Sanhedrin had found him guilty.”

The Johannine text which contains Jesus’ prophecy about how he should die, and referred to by Bernard, reads (John XII : 32): “And I, if I be lifted up from the earth, will draw all men unto me.” The writer of the Joahnine Gospel then adds in ex-

planation (verse 33): "This he said, signifying what death he should die."

It is extremely doubtful whether the expression, "be lifted up from earth," actually denotes crucifixion. Most likely, the original writer, who had quoted Jesus, had in mind the Ascension and not the Crucifixion.

182. Matthew XX: 19; XXVI : 2.

183. See pp. 463-4 where it is proven that the Roman law required that the prisoner face his accusers.

184. Matthew XXVII : 11; Mark XV : 2; Luke XXIII : 3.

185. There can be no doubt that the writer of this account belonged to the same circle of Jew-haters who wrote Matthew XXVII : 3-10, 24-25, 41-43, 62-66; XXVIII : 11-15.

186. Matthew XXVII : 14; Mark XV : 5.

187. Matthew XXVI : 51; Mark XIV : 47; Luke XXII : 50; John XVIII : 10.

188. Matthew XXVI : 56; Mark XIV : 50.

189. Christian commentators, however, do find *logical* explanations for Jesus' boast to Pilate. Bernard ("John" XVIII : 36) says: "Who are meant by the servants of Jesus? Certainly not the small and timid company of disciples, who made no attempt to prevent the arrest, with the sole exception of Peter, whose action only showed the uselessness of trying to resist the police and the soldiers . . .

"The servants of Jesus upon whom he might call, if he would, were mentioned by him, according to Matthew XXVI : 53, at the moment of the arrest: 'Thinkest thou that I cannot now pray to my Father, and he shall presently give me more than twelve legions of angels?'"

It is remarkable how often Christian authors contradict themselves when they are forced to reconcile incongruities which cannot be explained away by mere theology.

The quotation alleged to have been made by Jesus is peculiar with Matthew, no other Evangelist seems to know anything about it. How, then, could John have been referring to it in the quotation he now attributes to Jesus, when Bernard himself admits ("John" XIX : 34): "There is no evidence that John knew Matthew at all"?

190. Luke XIII : 1.

191. This furnishes further proof that the writer of many texts in the Johannine Gospel was not a Jew.

192. If Herod, the Jewish Tetrarch of Galilee, considered Jesus "a crazy fanatic," according to Christian authors (Luke,

n. 167), then surely the pagan Pilate could not have considered Jesus as anything else.

193. This is an emphatic statement of a verdict of acquittal. Therefore, according to Roman law, the rest of the proceedings reported by John could not have taken place. A verdict on the part of a Roman judge was final. (See pp. 600-601 for a further discussion of this. See also n. 195, *infra*.)

194. John joins Matthew XXVII : 11 ff.) and Mark (XV : 2 ff.) in denying Luke's statement (XXIII : 6-11) that Pilate sent Jesus to Herod Antipas who was at that time in Jerusalem.

195. Westcott ("John" XIX : 11) says: "As the representative of the Emperor his judgment was legally decisive (Rom. XIII : 1)."

196. Westcott ("John" XIX : 39) says: "The title (king of the Jews) is probably, as afterwards (XIX : 15) to throw contempt on the pretensions of the Jewish leaders." (See note that follows.)

197. There can be no doubt that the first Christians so recorded the fictitious trial to show that even Pilate, the condemning judge, had nothing but contempt for the Jews.

198. This thought is explicitly expressed by the Johannine Gospel XI : 47-48.

199. This will again bear out the contention that the Johannine Gospel was pieced together by hands who had knowledge of the Matthean and Marcan Gospels.

200. The inconsistency in the Four Gospels is so obvious that occasionally Christian authors admit it without even attempting to reconcile it. Bernard ("John" XVIII : 40) says: "Mark" XV : 11 (followed by Matthew XXVII : 20) tells that the priests had suggested this to the mob. Matthew alone says that Pilate had offered the alternative 'Jesus or Barabbas' (Matthew XXVII : 17, where a famous variant gives Jesus as the name also of the robber, whose patronymic was Barabbas). Luke XXII : 19, 25, says that Barabbas was an insurgent and a murderer (cf. Acts III : 14); Mark XV : 7, saying that he was an associate of such. Matthew XXVII : 16; only says that he was a 'notable' prisoner."

201. This Evangelist joins Mark (XV : 7-8) and Luke (XXIII : 4-6) in denying Matthew's statement (XXVII : 19) that the wife of Pontius Pilate suffered from a dream on account of Jesus.

202. This Evangelist does not mention, as did Matthew (XXVII : 18) and Mark (XV : 10) that Pilate knew that the Jews had delivered the Nazarene to him because of envy.

203. Luke (XXIII : 16, 22) states that Pilate offered to compromise by scourging Jesus and letting him go free. This Evangelist, like Matthew (XXVII : 17-26) and Mark (XV : 3-15), reject Luke's assertion.

204. Rosadi ("Trial of Jesus," p. 287) says: "By the first Synoptics the flagellation is put down as belonging to this final stage of the trial and as a preliminary to the crucifixion. (Matthew XXVII : 26. Mark XV : 15). By the third evangelist it is put farther back as a punishment twice proposed by the governor and never carried out, as a substitute for crucifixion. (Luke XXII : 16, 22). The fourth evangelist makes it an offer of the governor afterwards carried out, but as a substitute for and not as preliminary to crucifixion. (John XIX : 1)."

205. Matthew XXVII : 26 ff.; Mark XV : 15 ff.

206. Matthew XXVII : 29.

207. Bernard again points out contradictory reports in the Gospels without attempting to reconcile them. Referring to the reports of the mockery, this author says ("John" XIX : 2); "Luke (XXIII : 11) ascribes this cruel indignity to the soldiers of Herod . . .

"Luke does not mention the mock coronation."

"Mock sceptre which Matthew mentions, a detail which is not in Mark."

It may be added that John does not mention the spitting and the paying of homage reported by Matthew and Mark.

208. Matthew XXVII : 31; Mark XV : 20.

209. Such is the logical contention of many Christian authors. Westcott, among others, says ("John" XIX : 1): "Pilate's last appeal to the Jews (XVIII : 39) has failed, and he now endeavors to save the life of Christ by inflicting such a punishment as might move his enemies to pity . . . Scourging was itself part of a capital sentence, but in this case it was inflicted arbitrarily by Pilate without any formal judgment." A most ingenious scheme imputed to a haughty Roman Procurator! And does this author wish to deny the statements made by the other Evangelists with reference to the scourging? (See John, n. 204.)

210. Bernard ("John" XIX : 7) explains: "It refers to Lev. XXIV : 16, which enacted that a blasphemer should be stoned to death. They warn him by implication that he must not set aside their law in such matter."

This explanation is untenable. In the first place, a claim to being the "son of God," does not constitute the capital offense of blasphemy, in either the Biblical or the Talmudic law. (See

pp. 419-23 where this contention is proven.) Secondly, if the Roman government would not tolerate a Procurator's refusing to enforce a religious law of the Jews, and the Jewish authorities were aware of it, why did they not come out openly *ab initio* with such a statement. They should have told Pilate in the first instance that they had tried Jesus in their Sanhedrin, found him guilty of a capital offense in accordance with their law, and that they were demanding an execution of their sentence. Did they not resort to an open threat with reference to the political charge of treason (John XIX : 12)?

211. Such is the opinion of Chandler ("The Trial of Jesus, etc.," Vol. II, pp. 134-135).

212. This is Bernard's interpretation of the text ("John" XIX : 9): "Pilate's question is no formal interrogation as to the birthplace or domicile of Jesus. He had learnt already that he was of Galilee (Luke XXIII : 6, 7)."

But the question may be asked: how was Pilate supposed to know what Luke wrote? And how was the author of the Johanne Gospel supposed to know what Luke said? Pilate did not see Luke; neither did John.

213. It is remarkable that Matthew (XXVII : 14) and Mark (XV : 5) state that Pilate marvelled greatly when Jesus refused to answer any of the questions. John claims that Pilate became furious and he told Jesus that he held his fate of life and death in his hands.

214. Pilate could not have told that to Jesus, because according to the Roman law, he possessed no such power. Pilate as judge, was compelled to obtain evidence and ascertain whether the prisoner was actually guilty of the charge. If guilty, he had no alternative in the matter, but to punish the prisoner by crucifixion. He would not have been able to free him, because, as stated by Husband ("The Prosecution of Jesus," p. 270), "Pardon in the imperial provinces rested only with the emperor. (Dig. XLVIII : 23, 2; XLVIII : 19, 27; XLII : 1, 45, 1; cod. IX : 23, 3.)" (See also John XIX : 12). If, on the other hand, he found him not guilty, he would have been duty-bound to release him.

215. See pp. 593-4 where it is proven that Jesus could not have made such a statement to Pilate.

Even a Christian author (Westcott, "John" XIX : 11) argues: "It does not appear that there is (as is commonly supposed) any reference to the fact that Pilate was an unconscious instrument of the divine will. In this respect the Chief Priests were in the same position; and there was nothing in the fulfillment of

the counsel of God to modify the guilt of one or the other (comp. Acts II : 23)."

216. According to this Gospel, the trial of Jesus before Pilate extended into the afternoon. But according to Mark (XV : 25), the crucifixion commenced at nine in the forenoon. Christian commentators admit that the crucifixion could not have taken place at that early hour in the morning, and they therefore favor the Johannine version. McNeile ("Matthew" XXVII : 36) remarks: "Mark here states, 'and it was the third hour' (*i. e.* 9 a. m.). If this was not a later addition, Matthew, Luke may have omitted it because they received more accurate information. John is probably correct in placing the close of the Roman trial about noon." But the question is, how can these Christian authors ignore the express testimony given by St. Peter who dictated to Mark?

Bernard ("John" XIX : 14) says: "In Mark XV : 25, Jesus is said to have been crucified at the 'third hour' . . . This is corrected by John, who tells that the Crucifixion did not begin until after the 'sixth hour,' *i. e.* afternoon . . . Indeed it is difficult to believe that all that happened on the day of the Passion before Jesus was actually crucified was over by 9 a. m., as Mark's report indicates."

The same objection must be raised to the statement made by Bernard: What right did the writer of the Johannine Gospel have to correct Mark's report? Historic facts cannot be corrected; they are not subject to alteration, unless it is proven that the historian has committed a blunder. But if blunders can be found in divinely inspired documents, what is to prevent us from rejecting all the other illogical and contradictory portions of these Gospels? (See also Matthew, n. 81.)

At least one Christian author admits that this contradiction between Mark's timing and John's is irreconcilable. Swete ("Mark" XV : 25) says: "This mention of the third hour is peculiar to Mark, and appears to be inconsistent with John XIX : 14 . . . The problem cannot be said to have been solved yet; Westcott's contention that St. John followed the modern Western reckoning, has considerably been shaken by present research."

217. See John, n. 27.

218. Matthew XXVII : 32; Mark XV : 21; Luke XXIII : 26. (See pp. 474-5 where it is proven that according to the Roman procedure the criminal condemned to be crucified was required to carry his own cross.)

219. This Evangelist joins Matthew (XXVII : 31) and Mark

(XV : 20) in contradicting Luke's statement (XXIII : 27-32) that the Nazarene delivered an oration to some women who followed him to Golgotha.

220. So Luke (XXIII : 33); both disagreeing with Matthew (XXVII : 34) and Mark (XV : 23) who state that at this point, upon reaching Golgotha, they offered him a drink which he refused.

221. This Evangelist, as well as Matthew (XXVII : 38) and Mark (XV : 27-28), contradict Luke (XXIII : 34) who states that at this point Jesus said: "Father, forgive them," etc.

222. Matthew XXVII : 46; Mark XV : 34. (See John, n. 34.)

223. Matthew XXVII : 39-43; Mark XV : 29-32.

224. Matthew XXVII : 44; Mark XV : 32.

225. Luke XXIII : 39-43.

226. Matthew XXVII : 37; Mark XV : 26; Luke XXIII : 38. The four Gospels disagree about the actual wording of the superscription.

227. See John, n. 28.

228. This request alleged to have been made of Pilate by the Jews, is not mentioned in any of the other Gospel-records (Matthew XXVII : 37-38; Mark XV : 26-27; Luke XXIII : 38-39).

229. Matthew XXVII : 35; Mark XV : 24.

230. With reference to this ambiguous text, Westcott, among others, says ("John" XIX : 25): "The text leaves room for doubt as to the number of the women mentioned."

231. Westcott ("John" XIX : 25) remarks: "It will be noticed that Mary Magdalene is introduced abruptly, as well known, without explanation." This proves again that the writer of some texts of the Johannine Gospel relied on his information upon the Matthean and Marcan texts.

232. Matthew XXVII : 55-56; Mark XV : 40-41; Luke XXIII : 49.

233. See John, n. 87.

234. Matthew XII : 46-48; Mark III : 31-33; Luke VIII : 19-21.

235. See John, n. 30.

235a. Matthew XIII : 55; Mark VI : 3.

236. See John, n. 32.

237. See John, n. 33.

238. From the ambiguous statements in Matthew (XXVII : 48-49) and Mark (XV : 36), it would seem that the tasting of

vinegar would have had the opposite effect, that of prolonging his life.

239. It is difficult to explain why John saw fit not to mention that Jesus' last words were: "Father, into Thy hands," etc., as recorded by Luke (XXIII : 46). Bernard ("John," page 636, Sect. 7) admits: "John does not record this ("Father, into Thy hands," etc.), but we cannot know his reasons. If it was indeed the last word spoken, the Beloved Disciple must have heard it, as well as the witness, Joanna or another, from whom it was transmitted to Luke."

The truth of the matter is, however, that all these premises, that the beloved disciple was John, that Joanna or another transmitted anything to Luke, that there was a beloved disciple standing at the cross, etc., etc., are based on mere surmises and guesses, without any historical corroboration. It cannot be denied that these Apostolic documents are irreconcilable, and nothing contained in them was reported by actual eyewitnesses. The discrepancies and inconsistencies in the Four Gospels are so numerous and so patent that the records they contain are worthless, as secular histories. No ingenuity, no belief, or faith, no matter how profound and devout, can explain away those incongruities. (See John, n. 34.)

240. Matthew XXVII : 50; Mark XV : 37.

241. Matthew XXVII : 46; Mark XV: 34.

242. Christian authors must resort to the miraculous in order to explain certain reports in the Gospels. Swete ("Mark" XV : 44-45) states: "Death seldom supervened so soon in the case of the crucified; they lived for two or three days, and in some cases died at last of starvation rather than of their wounds (Eus. *H. E.* VIII : 8)." And Bernard has an explanation for this inexplicable account. He says ("John" XIX : 33): "According to Mark XV : 44, Pilate was surprised that he had died so soon; for in the case of a crucified person, death sometimes did not ensue for three days. A highly strung nature is less able to endure physical agony than one of coarser fibre; and Jesus was the Perfect Man."

243. Matthew XXVII : 45; Mark XV : 33; Luke XXIII : 44.

245. It is remarkable that John who was constantly apotheosizing Jesus, neglected to mention the portents that were manifested while the Nazarene was hanging on the cross and immediately after he gave up his ghost (Matthew XXVII : 45-53; Mark XV : 33-38; Luke XXIII : 44-45).

246. It is difficult to understand why John deemed it advisable to omit mentioning that the centurion (and the other soldiers—Matthew) acknowledged Jesus to be a "son of God" (Matthew XXVII : 54; Mark XV : 39), or a "righteous man" (Luke XXIII : 47).

247. Bernard ("John" XIX : 35) says: "This is an attestation of John that the evidence of the Beloved Disciple is genuine and trustworthy." In other words, John corroborates his own testimony.

248. It is obvious that the writer of the Johannine Gospel felt that future generations were not likely to credit such a myth, and therefore he vouched for its veracity. Plummer ("John" XIX : 35) wonders: "Why does St. John attest thus earnestly the trustworthiness of his narrative at this particular point?"

249. In agreement with Matthew (XXVII : 57). Mark, however, merely describes him as one who waited for the kingdom of God (XV : 43), a general term which might apply to any Jew. Luke (XXIII : 50-51) talks of him as a good man and a just, and as one who sat in the Sanhedrin and voted against the conviction of the Nazarene.

250. Numbers XIX : 11.

251. This Evangelist contradicts the Synoptists concerning what is supposed to be an historic fact, who bought or prepared the spices for the burial of Jesus? While Matthew (XXVII : 61-XXVIII : 1) is silent on the subject of the spices, Mark (XVI : 1) states definitely that Mary Magdalene, and Mary the mother of James, and Salome *bought* sweet spices to anoint the body of Jesus. Luke (XXIII : 55-56) states that the women did not buy the spices, but they *prepared* them. John, however, contends that no women brought the spices, but a man named Nicodemus.

252. Gould ("Mark" XV : 46) says: "There was no time before the Sabbath for any further preparation of the body for burial. John, however, says that he was embalmed at this time. The synoptical account is evidently correct." Such is the method of Christian commentators: at times they prefer John to the Synoptists, and at other times they side with the Synoptists. They cannot help themselves. Their inconsistencies are merely reflections of the inconsistencies in the Gospels for which they are apologizing.

The writer of the Johannine Gospel is not telling the truth when he makes the statement, "as the manner of the Jews is to bury." There had been no such custom in Israel; embalming was unknown to the Jews. Gould ("Mark" XVI : 1) admits: "The

process was not an embalming, which was unknown to the Jews, but simply an anointing." (See John, n. 39.)

253. See John, n. 40.

254. Matthew XXVII : 62-66.

255. The Evangelists cannot agree as to who really came to the sepulchre that morning, Matthew (XXVIII : 1) states that "Mary Magdalene and the other Mary (whoever that was) came to see the sepulchre." Mark claims (XVI : 1) that "Mary Magdalene, Mary the mother of James, and Salome" came with spices. Luke (XXIV : 1, 10) asserts that there were other women with Mary Magdalene, and Joanna, and Mary the mother of James. Historic documents are not written in this manner.

Swete ("Mark" XVI : 5) desparingly remarks: "In John Mary Magdalene arrives at the tomb alone, and all the circumstances are different. The attempt to harmonize these independent narrations is beset with difficulty."

256. See John, n. 251.

257. Mark XVI : 2.

258. This undoubtedly refers to the stone rolled by Joseph to the mouth of the sepulchre, as recounted by Matthew (XVII : 60) and Mark (XV : 46), but it is not mentioned by either Luke (XXIII : 53) or John (XIX : 41-42). This is further evidence that the Johannine Gospel was put together by unskilled authors, some of whom were familiar with Matthew and Mark. (See John, notes 170, 199, 231.)

259. Matthew XXVIII : 2.

260. Mark XVI : 5-7.

261. Luke XXIV : 4-10.

262. Mark XVI : 8.

263. Matthew XXVIII : 10; Mark XVI : 7.

264. Matthew XXVIII : 7; Mark XVI : 10; Luke XXIV : 9.

265. Bernard ("John" XX : 5) is puzzled: "As to why John (for we believe the disciple to have been John) waited for Peter to go in first, we do not know. He may have been afraid, or overcome with emotion." Thus Christian authors take "facts" on faith, and claim that St. John was afraid to enter a sepulchre, even though it was the sepulchre of his master on whose breast he used to lie!

266. Bernard ("John" XX : 8) explains: "He saw and believed. He had no vision of the Risen Christ, but the sight of the abandoned grave-clothes was sufficient to assure him that Jesus had risen from the dead." This explanation, of course, cannot be

sustained. In the first place, the Johannine Gospel discloses no prophecy by Jesus of his death and resurrection. How, then, would John be so "assured that Jesus had risen from the dead?" Secondly, the mere fact that the grave-clothes were abandoned was not conclusive proof. The body might have been stolen, and the grave-clothes purposely left there by the clever thieves.

267. The Johannine Gospel contains no prophecy by Jesus of his death and resurrection. Christian commentators, however, could not very well concede that. So they contend that John II : 19-21, and III : 14, and XII : 32, contain such prophecy. Any one pursuing these texts will admit that the explanations advanced by these authors are far-fetched. (See John, n. 181.)

268. Mark (XVI : 11, 13, 14), Luke (XXIV : 11, 37-38, 41), and John (XX : 25) state that after the crucifixion the disciples actually disbelieved that their lord had risen.

269. Mark XVI : 1-13.

270. On her first visit Mary Magdalene saw one angel according to Matthew (XXVIII : 2 ff.) and Peter (Mark XVI : 5 ff.), and two angels according to Luke (XXIV : 4).

271. Even pagan barbarians deserved to see an angel, according to Matthew (XXVIII : 4). (See pp. 622-3.)

272. Matthew XXVIII : 5-7; Mark XVI : 6-7; Luke XXIV : 5-7.

273. Christian commentators seem to be at a loss to explain why Mary Magdalene failed to recognize Jesus with whom she had been so intimately acquainted. Plummer ("John" XVI : 14) explains: "Christ's Risen Body is so changed as not to be recognized at once even by those who had known him well. It has new powers and a new majesty." Theologically it is perhaps a satisfactory explanation. However, according to Mark XVI : 14), Jesus purposely disguised himself so that they should not know him. (See Luke, n. 255.) Then, why couldn't he have done the same with Mary Magdalene? See also John XXI : 4 ff., where his most intimate disciples again failed to recognize him. Maybe he had disguised himself again. (See John, n. 297.)

Christian theologians are unable to explain the appearance of Jesus after his resurrection. They necessarily admit that he actually died, because there could be no resurrection without death. (See John, n. 36.) But when he appeared to his disciples, according to the testimony of Luke (XXIV : 36-44), they thought that they were seeing a spirit. Jesus then convinced them of his physical presence, by having them touch his hands and feet and

by asking them for food. He then actually ate the broiled fish and the honeycomb they gave him.

It must be admitted by Christian authors, then, that Jesus appeared bodily. Accordingly, Bernard ("John" XX : 14) says: "It was the actual body that had been buried which was revived, although (as it seems) transfigured, so to speak, spiritualized. This must be borne in mind when the evangelical narratives of the Risen Jesus *speaking*, and *eating* (Luke XXIV : 43; cf. John XXI : 13, 15), and being *touched* (Luke XXIV : 39, and perhaps John XX : 27), as well as *seen*, are explained critically. Such statements are difficult of credence, for no parallel cases are reported in ordinary human experience; but they must be taken in connection with the repeated affirmations of the Gospels that the tomb of Jesus was empty, and that it was his *Body* and not only his *Spirit* which was manifested to the disciples."

This, of course, can by no means be considered a satisfactory or logical explanation. Why a physical appearance rather than a spiritual one? Did he wish to convince the common disciples that he was still alive and human even after death, so that they might be the more impressed by the miracle? But would it not have been even more impressive had he opened the heavens to them and showed them the "son of God" sitting in all his glory on the right hand of God? Would this not have been more convincing proof of his divinity than his eating of fish and honey comb which, after all, is hardly a celestial performance? If he wished to prove himself the very same Jesus in body, why did they all fail to recognize him? And if he was actually transformed and spiritualized, why attempt the behavior of a common, if not vulgar mortal, eating and asking to be touched? It is all very confusing.

274. See p. 510.

275. Bernard ("John" XX : 17) admits: "'Touch me not, for I have not yet ascended,' is difficult of interpretation, inasmuch as within a week at any rate, and before his final manifestation of his departure, Jesus had challenged the test of touch." Westcott ("John" XX : 25) says: "It is further to be remarked that the Lord had offered the test of touch to the disciples on the former occasion (Luke XXIV : 39, 40)."

276. Matthew XXVIII : 9.

277. Westcott ("John" XX : 17) defines it: "He who is Father of Christ and Father of men in different ways; of Christ by nature, of men by grace." It would be interesting to know how this highly informed author would explain the other half of

Jesus' alleged quotation, "My God and your God." Is there also a duality of "Gods" as of "Fathers"?

278. And Westcott has a ready answer for this problem as well. He says ("John" XX : 17): "In His perfect humanity Christ speaks of the Father as His God: Matthew XXVII : 46." The question is: did Jesus' perfect-humanity continue to exist even after the crucifixion?

279. Matthew XXVIII : 7; Mark XVI : 7.

280. Mark (XVI : 11) and Luke (XXIV : 11) stated that the disciples did not believe the women.

281. Plummer ("John" XX : 19) explains the cause of the fear thus: "It was not certain that the Sanhedrin would rest content with having put Jesus to death."

282. Luke XXIV : 52-53.

283. Luke XXIV : 39.

284. See John, n. 45.

285. Matthew, Peter and Luke don't know anything about this incident.

286. Matthew XXVIII : 16 ff.; Mark XVI : 14; Luke XXIV : 33, 36.

287. See Luke, n. 258.

288. The power to forgive sins is not mentioned by the Synoptists. But they tell of other powers that were bestowed upon the disciples by the Nazarene (Matthew XXVIII : 18-20; Mark XVI : 15-18; Luke XXIV : 49).

289. Wescott ("John" XX : 26) says: "The words imply that the gathering was held in the same place and under the same circumstances as before."

290. According to Matthew (XXVIII : 9-10, 16-20), the Nazarene made no appearance to his disciples in Jerusalem. And according to Mark (XVI : 14-18) and Luke (XXIV : 33 ff.), Jesus made only one appearance to his disciples in Jerusalem. Divinely inspired contradictions! (See John, n. 303.)

291. Mark XVI : 12-13; Luke XXIV : 13-34.

292. Mark XVI : 14.

293. Even some of our most modern and learned Christian commentators are forced at times to give illogical interpretations in trying to explain the inexplicable.

For instance, Bernard ("John" XX : 14), in trying to solve an insoluble problem, states: "The question has been asked, how did the evangelists believe the Risen Lord to have been *clothed*, not only when Mary saw him in the garden, but when he manifested himself to the assembled disciples (vv : 19, 26)? It is

difficult to suppose (with Tholuck and others) that he appeared only in the loin-cloth in which he had been crucified and buried. His appearances after death were more intense, indeed, than the appearances of dead men to their friends (for which there is some evidence); but just as in the latter case the eye of love clothes the vision in familiar garments, so it may have been in the objective and more significant manifestations of Jesus."

So this critical commentator of the Gospel is in possession of "some evidence" that dead men appear to their friends. But in the same breath he states that the "eye of love clothes the vision in familiar garments," that is as much as to say, that one actually sees in his hallucinations whatever he wishes to see. This is extremely inconsistent and unscientific. For, by the latter reasoning of the author, why cannot the eye of superstition and ignorance see dead men appear to them? Just as one can see garments as one wishes, why not people as well?

294. Thomas could not have addressed Jesus as "my God," because this concept of deity had not yet been applied to Jesus at that time. None of the Synoptic Gospels crowned Jesus with the title "god." The Johannine Gospel is the only one which ascribed the title "god" to him (John I : 1). But it has been acknowledged by almost all Christian authors that this Gospel was written no less than one hundred years after the advent of Jesus.

It would seem that some of the most modern Christian scholars are not satisfied with the Christian dogma that Jesus was the "Son of God." They are not content with merely designating Jesus as equal with his Father. They assert that Jesus was "god."

Westcott ("John" XX : 28) comments: "And the words which follow show that the Lord accepted the declaration of His Divinity as the true expression of faith. He never speaks of Himself directly as God, but the aim of His revelation was to lead men to see God in Him."

Bernard ("John" XX : 28) remarks: "The confession of Thomas goes far beyond the confession of Nathanael (John I : 49), which had drawn forth the praise of Jesus at the beginning of His ministry. It expresses the deepest Christian truths, which John had placed in the forefront of his Gospel as governing and explaining all that he is about to narrate, and the Word was God."

According to this author, then, Nathanael's confession that the Nazarene was "the Son of God," that is, God's equal, is not a true conception of Christianity. The "deepest Christian truths" are that Jesus was God, not merely His equal. It is not quite clear

whether these "deepest Christian truths" mean that Jesus, the son of the woman Mary, ejected his Father completely from the heavens and took the control himself, or that there are two gods in heaven, Jesus merely being another god who helps in the management of the universe. Whichever of these two concepts contains the "deepest Christian truths," both are pure paganism, according to the Jewish religious concepts of monotheism. (See John, n. 82.)

295. See pp. 364 ff.

296. According to Matthew (XXVIII : 16), the Nazarene appeared to the eleven disciples in the mountain of Galilee. Mark records no appearance in Galilee at all (XVI : 9-15), and neither does Luke (XXIV : 36 ff.). The Johannine record of the appearance of the Nazarene at the sea of Tiberias is not borne out by any of the Synoptists.

297. This does not seem logical. If the Nazarene had already appeared twice to his disciples, why did they fail to recognize him on his third appearance to them at the sea of Tiberias? Christian authors have advanced many a far-fetched reason for this. For instance, Bernard ("John" XXI : 4) says: "That the disciples, who had so recently seen the Risen Lord *twice*, according to the Johannine tradition (XX : 19, 26), should not recognize him, even after he had spoken to them, might, perhaps, be accounted by their distance from the shore and the dimness of the early morning light."

But the Nazarene was within hearing distance of his disciples. Could they not recognize his voice after two such colloquies, even if it be conceded that his voice changed after the resurrection? (See John, n. 273.)

298. "Therefore" in the Johannine text would imply that the beloved disciple's final recognition of Jesus was due solely to the big catch of fish.

299. But Westcott knows the reason why Peter cast himself into the sea. He says ("John" XXI : 7): "He could not wait for the slow progress of the boat, but with swift resolve 'cast himself into the sea.'" Was the progress made by the manning of the boat by six Apostles slower than Peter's swimming?

300. Bernard ("John" XXI : 9) says: "The fish that was cooking on the fire was not one of the fish which had just been caught; for it is only after the disciples see it that the net is drawn ashore. It was provided, along with the bread, by Jesus."

Westcott ("John" XXI : 9) says: "The fish and the loaf are spoken of in such a way as to suggest the thought that they were provided supernaturally."

So these authors wish to tell us, then, that the Nazarene was hungry and in need of food even after the Resurrection, and that the food consisted of one fish and a loaf of bread which had been miraculously provided. But why only fish and bread, why not a sumptuous meal? And why only for himself and not for his disciples who sit with him on thrones? (See n. 302, *infra*.)

301. This is another one of those ambiguous, illogical Gospel-expressions that baffle the understanding.

302. Bernard ("John" XXI : 10) says "*Prima facie*, the story suggests that the fish on the fire was for the breakfast of Jesus himself, and that he now invites the fishermen to bring some of the fish that they had caught, to cook them, and join him at his meal. But this is not said directly."

Thus the Christians, from St. John down to this very day, hold to the theory that Jesus was actually present in his earthly body, and was therefore in need of food to sustain himself. (See John, notes 36, 273, 300.) To a Jew these Christian concepts are extremely difficult to comprehend.

303. To sum up briefly the appearances alleged to have been made by the Nazarene to his disciples: Matthew reports only one appearance in Galilee and none in Jerusalem. Mark reports two appearances: one to two disciples somewhere on the way near Jerusalem, and the other in Jerusalem to eleven disciples, but none in Galilee. Luke records that there was one appearance to two disciples, not of the Twelve, in Emmaus, and another one to all the disciples in Jerusalem, but none in Galilee. John states that there were three appearances: one to ten disciples in Jerusalem, the second, eight days thereafter to eleven disciples, including Thomas Didymus, likewise in Jerusalem, and the third to seven disciples at the sea of Tiberias in Galilee.

In spite of, and relying upon these inconsistencies and contradictions, all Christian authors maintain that the resurrection of Jesus is an historically proven fact!

Bernard ("John" XXI : 14) says: "Jesus did not first manifest himself to the Apostles in Galilee (Matthew XXVIII : 16). He manifested himself twice in Jerusalem (XX : 19, 26), and not until after that did he show himself in Galilee."

Of course, there can be no objection to Bernard's accepting the Johannine narrative. But what about the Matthean, the Marcan, and the Lucan texts? Can a Christian merely brush them aside? Were not Matthew, and Peter, the real author of the Marcan Gospel, eyewitnesses? Were they not themselves the ones who were supposed to have received the boon of Jesus' appearances to

them? How can one arbitrarily accept one version in preference to another without further historic corroboration?

304. Here is another illustration of Gospel expressions that defy intelligent interpretation by Christian commentators. In attempting to explain the expression "lovest thou me more than these?", Plummer ("John" XXI : 16), Westcott ("John" XXI : 15), and others contend that "more than these," signifies 'more than these disciples,' because, as Westcott contends, "it is unnatural to suppose that the Lord refers to the instruments or fruits of the fisher's craft."

Bernard ("John" XXI : 15) prefers the latter explanation of the Johannine text, and he adds: "This interpretation is, indeed, unattractive; but it may possibly be right, and it is free from difficulties which beset the usual interpretation."

There is really nothing "unattractive" about the comparison drawn by the Nazarene, if we take into consideration the fact that one unlearned person was speaking to another. Metaphoric expressions and similes are as a rule chosen by those who ply certain trades and professions from the objects used in connection with their craft. Jesus knew that Peter loved his fisher's instruments, and he simply and naturally wished to know whether the devoted and born Galilean fisherman loved his lord and master more than his tools, and his fish. For that matter, the question itself, whether Peter loved him, is neither becoming an intelligent person nor a divinity. No such question has been imputed to the Almighty. (See note that follows.)

305. Bernard ("John" XXI : 17) tries to explain Peter's awkward position by stating: "He knew that he had given cause for the doubting of his love, and it grieved him that his repeated assurance that it still inspired him was not treated as sufficient by his master."

The Almighty ordained in His Law, an ordinance for all men: "And thou shalt love the Lord thy God with all thy heart," etc. (Deut. VII : 5). At no time, however, did the Almighty ask any of His chosen prophets, "dost thou love Me?"—for the simple reason that knowing the thoughts of all men, He knew what was in the hearts of those whom He chose as His prophets. (See John, n. 52.)

306. Matthew XVI : 18-19.

307. This is the general interpretation put on the Johannine text. Plummer ("John" XXI : 21) explains: "John follows unbidden."

308. There can be no doubt that this explanation of Jesus'

saying was made after the death of John as an apology for the nonfulfillment of Jesus' prophecy that John would not die until Jesus returned.

309. See John, n. 53.

310. Mark XVI.

311. It is difficult to ascertain where the Johannine Gospel obtained this information; it is not in the Synoptics.

312. Mark XVI : 16, 19; Luke XXIV : 50.

313. It is remarkable that the writer of the Johannine Gospel, who maintains that Jesus was God (John, notes 82, 294), fails to record the Ascension reported by Mark (XVI : 19-20) and by Luke (XXIV : 50-51).

Especially is this omission by John surprising, since it is believed by Christian commentators that "John knew Mark and probably Luke" (Bernard "John" XX : 30). Did John purposely reject it as untrue?

314. Even a Christian author (Plummer, "John" XXI : 25) wonders: "Does John bear witness to his works?"

315. And the same Christian author cannot abstain from remarking (Plummer, "John" XXI : 25): "The bold hyperbole—even the world itself."

Notes and Comments

EXPERT OPINION

1. Only once does the Pentateuch call it (Ex. XXXIV : 25) "hag ha-posah," the feast of the Passover. And it is admitted by many Biblical students that this expression is of doubtful origin.

Solomon Zeitlin, in an article entitled "Synhedrion and Sanhedrin" in "Jewish Quarterly Review," October, 1945, pp. 128-129, proves from the writings of Josephus that the term "Pass-over" was adopted by the Jews after the destruction of the Second Temple.

2. See p. 346.

3. See pp. 332-4.

4. See pp. 346-7.

5. See Acts IV : 13.

6. Gould ("Mark" XIV : 53), among others, says: "The high priest was *ex-officio* the president of the Sanhedrin."

7. Some honest Christian authors admit what the motives of the Gospel-writers were. Balmforth ("Luke" XXIII : 22) says: "It has been plausibly suggested that one purpose of the third Gospel and the Acts was to be an *apologia* of Christianity to the official Roman world, and in particular to show that neither the religion nor its Founder was objectionable from the Government's point of view: hence the emphasis on Pilate's efforts to acquit Jesus, and hence also the consistently favorable picture given of Roman officials, as compared with the Jewish hierarchy and other Jewish opponents of Christianity, in their dealing with St. Paul." This apologetic motive is also evident in the other Gospels, especially in the Matthean and Johannine description of the trial before Pilate.

8. This supposition cannot be maintained, because according to the Matthean and Marcan Gospels, the Sanhedrin found Jesus guilty of the religious offense of blasphemy. If they really acted in the capacity of magistrates, they would not thereafter alter the charge from a religious to a political offense. And if they knew that Pilate as Roman Procurator would take no cognizance of a violation of a Jewish religious law, why, then, did those Jewish jurists waste their time in trying to find Jesus guilty of such an offense?

9. Mishnah, Sanhedrin IV : 2; Maimonides, *Hilkot Sanhedrin* II : 2; see also p. 406.

10. There is a *Shimeon ha-zanua*, Simon the Meek, mentioned in Tosefta Kelim, Baba Kamma I : 6, who apparently lived in his young days during the existence of the Second Temple.

11. Preuschen ("Z. N. W.," 1902, 255 ff.) criticizes this statement on the ground that the anointing of the body at burial, as distinct from placing spices in the grave-clothes, was unknown in Israel.

12. The prayer known among the Jews as the "sh'ma," applies to a collection of three groups of Biblical texts (Deut. VI : 4-9; XI : 13-21; Num. XV : 37-41). Because the first group begins with the Hebrew word "sh'ma," (hear) the whole prayer is termed by that name.

13. See Expert Opinion, n. 1.

14. See Luke, n. 257.

15. Even Christian authors are unable to explain John's story of Jesus' feet-washing. Westcott ("John" XIII : 4) says: "There is nothing to indicate the occasion of the action. The phrase implies that the supper was already begun, so this feet-washing cannot have answered to that before the meal."

16. Some Christian authors explain that Jesus was the legal heir to the throne of David by virtue of his mother's descent from the house of David. (See Douay's Bible, note to Matthew I : 6, how these authors had arrived at the conclusion that Mary was a descendant from the House of David.)

17. See John, notes 82, 294.

18. Salmond ("Mark" XIV : 61) comments: "The terms of the question, 'the Son of God' (Matthew), 'the Son of the Blessed' (Mark), imply the Divine Sonship of the Messiah."

19. See pp. 386-9.

20. For a detailed account of this procedure, see p. 423.

21. See pp. 420-3 for a full discussion of the points of law involved in this case.

22. For a full discussion of this subject, see pp. 438-9.

23. See pp. 480-1 and 497-9 for a full definition of the term "son of man."

24. Farrar ("Luke" XXII : 56) remarks: "As to the question of cocks and hens in Jerusalem, the Talmud says that cocks and hens from their scratching in the dung, were regarded as unclean. But as to this, the Talmud contradicts itself, since it often alludes to cocks and hens in Jerusalem (e. g. Berakoth, p. 27, 1)."

The Talmud does not contradict itself; it is consistent. The

Berakot text does not at all prove that hens were raised in Jerusalem during the existence of the Second Temple. The text reads: "Rabbi Judah ben Baba testified (among other things) that a cock was stoned to death in Jerusalem for having killed a human being (*an infant*—Rashi, *a. l.*)."

According to the Jewish criminal law (Mishnah, Sanhedrin I : 4; Maimonides, *Hilkot Sanhedrin* V : 2), an animal cannot be condemned to die unless he be tried, as in the case of a human being, before a court of twenty-three members, *i. e.* the Minor Sanhedrin. The cook referred to in the Talmudic text, in all probability committed the crime elsewhere near or around Jerusalem, but was tried by the Minor Sanhedrin at Jerusalem and executed there.

Carr ("Matthew" XXVI : 34) remarks: "A curious difficulty has been raised here from the fact that it was unlawful for Jews to keep fowls in the Holy City. Such rules, however, could not be applied to the Romans."

This author conveniently forgets that not the Romans but the high priest and his family lived in the high priest's palace. The cock is alleged to have crowed in the precincts of the high priest's residence and not in the Roman barracks. Surely the high priest would not violate such a rule of law. (See Matthew, n. 56; Summations, n. 13.)

25. Plummer ("Mark" XIV : 12) rejects the testimony given by the three Synoptic witnesses and accepts the Johannine chronology. He says: "The Synoptists, in a confused and not very consistent way [an amazing admission by a Christian apologist!], place the Paschal Supper on Thursday evening, and seem to identify it with the Jewish Passover. John, with great precision and with complete consistency, places the Passover on Friday evening. The better course is to abide by the Johannine tradition and assume that our Lord, knowing that He could not have the Paschal Supper at the right time, held it a day in advance."

The Jewish law, however, does not permit to observe any Festival a day in advance. It is therefore absurd to contend that Jesus would observe a Jewish religious law, the observance of the Passover-eve celebration, by violating another religious law which prohibits its observance a day in advance.

26. The Marcan Gospel is somewhat more plausible. There the term "Christ" is used in this connection (Mark XV : 32), which denotes "the anointed of God;" and the same term is used in the Lucan Gospel (Luke XXIII : 35). Yes, a Christ, one

anointed by God, may be supposed capable of performing miracles, but not an ordinary king.

27. See pp. 506-7.

28. See John, n. 102.

29. See John, n. 19.

30. See pp. 639-41 where some of the conflicting trends in the New Testament are pointed out.

31. Rosadi ("Trial of Jesus," p. 309) admits: "This cruel and terrible contrivance was a form of punishment entirely unknown to Jewish law and tradition . . . On the other hand it was common to other ancient peoples: the Egyptians, the Persians, the Phoenicians, the Carthaginians, the Greeks and the Romans. These last, in Syria especially, employed it on a large scale ("Wars" V, ii : 1, 2; "Antiq." XX, vi : 2.)"

32. See pp. 450-1.

33. See also Moore ("Judaism in the First Centuries of the Christian Era," Vol. II, ch. VIII) for a full discussion on the subjects of "Justice, Truth, Peace."

34. See pp. 451-2.

35. Farrar ("Luke" XXII : 54) says: "The Sanhedrin was generally a merciful and cautious tribunal, but were now a mere dependent body entirely under the influence of the Sadducees, who were the most ruthless of Jewish sects."

36. Salmond ("Mark" XIV : 58) asserts "It meant one of the heaviest accusations that could be brought by one Jew against another." To support his contention, this author continues: "Stephen was afterwards charged with speaking against the 'holy place and the law,' on the ground that he had been heard say that 'this Jesus of Nazareth shall destroy this place, and shall change the customs which Moses delivered unto us' Acts VI : 13, 14."

This author failed to see that in Stephen's case the charge was that Stephen quoted Jesus as having said that he would destroy the Temple, but made no mention of rebuilding it; and, in addition, Stephen quoted Jesus as having said that he "shall change the customs which Moses delivered unto us." It is, therefore, obvious that there is no similarity whatsoever between Jesus' case and that of Stephen.

37. For a full explanation as to what weight and effect an oath had in Jewish jurisprudence, see Goldin, "Mishnah, Baba Mezia," Chapter I, note 1.

38. See p. 454.

39. See pp. 455-6.

40. See p. 456, and n. 51, *infra*.

41. Balmforth failed to see this distinction when he stated ("Luke," p. 300, 3): "It has been objected that the claim (of being a Messiah or a Son of God) does not amount to blasphemy in the strict sense of Lev. XXIV : 10-23, a deliberate cursing of God. But see Luke V : 21; XII : 10 for evidence that 'blasphemy' was used in a much wider sense."

42. See p. 426.

43. For a full definition of the law of *mesith*, see pp. 423-36.

44. The reason the jurists selected "Jose" as the substitute is because this word like the "shem ha-meyuhad"—the real Name of God—consists of four letters; and also for the further reason that the numerical value of the letters composing the word "Jose" corresponds to the numerical value of the letters composing the Name "Elohim," each of which amounts to eighty-six (Rashi ad Sanhedrin 56a).

45. See pp. 435-6 where this procedure is discussed and explained.

46. See Mark, n. 155.

47. See pp. 453-4.

48. Plummer ("Luke" XXII : 66-71) voices the opinion of many authors when he says: "The Sanhedrin could hold no valid meeting before day break, and what had been irregularly done in the night had to be formally transacted after dawn."

49. See pp. 444-5.

50. See pp. 417-18.

51. McNeile ("Matthew" XXVI : 63) comments: "How the high priest knew that Jesus claimed Messiahship cannot be determined, but probably the council rightly understood as Messianic the utterance about the destruction of the temple."

52. See p. 423.

53. See John, n. 15.

54. Plummer ("John" XIX : 12) says: "Whoever maketh himself king speaketh against Caesar—ipso facto declares himself a rebel; and for a Roman governor to countenance and even protect such a person would be high treason (*majestas*)."

Thus Christian authors admit, as they must, that Jesus, by claiming the crown of Judea, has committed a most serious offense against the Roman Emperor. Yet, according to the Gospel narratives, Pilate made sport of the whole affair, even when Jesus admitted to him that he was king of the Jews. And what is more, Pilate himself had to be instructed in Roman law by the Jewish

authorities. He himself did not know that this constituted *majestas*! Will this, too, be explained away?

55. Husband, "The Prosecution of Jesus," p. 270. (See pp. 478-9.)

56. See pp. 468, and 477-8.

57. See p. 478.

58. Bernard ("John" XIX : 17) says: "A criminal condemned to be crucified was required to carry his own cross; cf. Plutarch (*de sera numinis vindicata*, 9)."

59. See pp. 497-9.

60. See pp. 499-500.

61. See pp. 493-4 where it is proven that this Psalm does not contain the slightest hint concerning Jesus or any reported incident connected with him.

62. For a full explanation of the prophetic text contained in this chapter, see pp. 482-5, where it is proven beyond doubt that this much-talked of chapter of Isaiah contains no expression which may be applied to the Nazarene.

63. Plummer ("Mark" XIV : 36) asserts, as though he were personally acquainted with Jesus: "Christ spoke both Aramaic and Greek, and it is not impossible that in the opening address He used both." Presumably so that his Father can understand him the better.

64. Quoted by Klausner, "Yishu ha-Notzri," p. 384.

65. Wise ("The Martyrdom of Jesus," p. 111) comments: "Eli, eli, lama sabachthani, in Matthew, means my God, my God, why hast thou sacrificed me? And not as given by Matthew and Mark—why hast thou forsaken me? This leads one to believe that Mark did not know the Aramaic, and Matthew was ignorant of the Hebrew."

The only objection that can be raised against this proposed interpretation is that the transliteration of the Hebrew in the Greek should have been with *z* instead of *s*: *zabachthani* instead of *sabachthani*. This certainly is much less objectionable than the accepted interpretation that it is the Aramaic *shabaktani*, as pointed out herein.

66. See Westcott, Bernard and Plummer ("John" XX : 16), who are trying vainly to explain this expression, as "rabbuni," or "ribboni."

Notes and Comments

S U M M A T I O N S

1. See John, n. 58.

2. See Matthew, n. 14.

3. See Luke, n. 99.

4. Farrar ("Luke" XXIII : 27) deplores the flight of the Apostles by saying: "It is a sad fact that no man—not even His Apostles—seems to have come forward to support these His last hours."

In extenuation of their cowardice, it may be argued that Jesus himself had taught hypocrisy to them. He instructed them never to argue with an opponent who possessed the means of meting out punishment to them. According to Matthew (V : 25) Jesus said: "Agree with thine adversary quickly, while thou art in the way with him; lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer; and thou be cast in prison." So Luke XII : 58.

Exponents of true dogmas do not hesitate to teach them openly to the world, although they are aware at times of the dire consequences that face them. Thousands and thousands of Jews have perished in the flames and have suffered the most unbearable brutality for remaining true to their religious convictions. From Socrates to our own times, preachers of new dogmas have suffered death. Yet Jesus, the "son of God," who was to bring to the world a New Testament, told his followers to "agree with their adversaries quickly," because not to do so might result in their being imprisoned.

5. John XVIII : 9.

6. With reference to John XVIII : 24, the aorist and not the pluperfect is used in the Greek text. Therefore, it cannot be ascertained whether the examination of Jesus was made by Annas or Caiaphas (Edersheim, "The Life and Times of Jesus the Messiah," Vol. II, p. 548, note 4). (See John, notes 17, 139.)

7. See Matthew, n. 183.

8. See Matthew, n. 180.

9. Edersheim ("Life," Vol. II, p. 553, note 1) says: "The expression 'all the council' must evidently be taken in a general sense. No one would believe, for example, that either Nicodemus, or Gamaliel was present," This author, however, found it difficult

to explain away a more explicit Gospel text. On page 560, note 1, he says: "It seems, to say the least, strange, to explain the expression 'led him into their sanhedrin' as referring to the regular Council-chamber (Luke XXII : 66)." (See Matthew, notes 176, 180; Mark, 134.)

10. See Expert Opinion, n. 7.

11. Balmforth ("Luke" XXII : 63-65) says: "This brutal treatment is less probable from the hands of the dignitaries of the Sanhedrin than from the hands of the soldiers who were holding him in custody."

McNeile ("Matthew" XXVI : 67) remarks: "Luke, with greater probability, ascribes the brutality only to the gang who had arrested Jesus, the trial not taking place till the next morning."

12. All commentators agree that according to the Marcan Greek version of the Gospel, the second identification was made by the same maid who had recognized Peter the first time (Gould, "Mark" XIV : 69; and others). The Authorized Version apparently put "a maid" instead of "the maid" in the Marcan text to make it conform with the Matthean text (XXVI : 71) which reads "another maid saw him."

13. Bernard ("John" XVIII : 27) seems to be dissatisfied with the manner in which Jesus indicated time. He remarks: "'Before a cock shall crow' (John XIII : 38) would be a vague note of time, for cocks are apt to crow at uncertain hours during the night." See Matthew, n. 56.

14. See Matthew, n. 55.

15. See Luke, n. 135.

16. Gould ("Mark" XIV : 72) says: "Peter had lost his faith for the time, but that was no reason why he should lose his courage and honesty. But his courage was supported by his faith, and fell with it. Why should he run any risks for a hope that had failed him? This was his thought while he was under pressure. But now he remembers the warning of Jesus, and with it recalls all that Jesus had been to him, whatever might become of the hope that they had all associated with him, and he weeps over his own baseness. But he does not take back his denial."

This is a wonderful example of the perfect inconsistency which can be achieved by a Christian commentator when trying to explain away the inexplicable. Peter lost his faith in Jesus, true, but why should he have lied and sworn falsely? Could he not have admitted to the authorities that he had once known Jesus and had been one of his disciples, but that now he no longer had faith in him? And if Peter really wept over his baseness, why

did he fail to take back his denial? One cannot repent of one's baseness and continue to be base!

17. See John, n. 123.

18. See John, n. 175.

19. See John, n. 189.

20. See John, n. 191.

21. It is remarkable how Christian authors, in their anxiety to justify their prejudiced conceptions, at times allow themselves to indulge in illogical speculations. Gould ("Mark" XV : 7) comments on the alleged demand for the release of Barabbas: "These words tell the story of Barabbas. He was just what the Jews accused Jesus of being, a man who raised a revolt against the Roman power. He was a political prisoner, and it was only such that the Jews would be interested to have released to them. Their interests and those of Rome were opposed, and a man who revolted against Rome was regarded a patriot."

The supposition advanced by this learned author is entirely untenable. In the first place, the chief priests, who according to these witnesses were alleged to have played the chief role in the drama, belonged to the aristocratic Sadducean party which consisted of appeasers and who always did everything in their power to curry favor with the Roman authorities. Secondly, because of the fact that "their interests and those of Rome were opposed." and because of the fact that this was a situation in Judea well known to the Roman authorities, the Jews would not have dared to request the release of Barabbas. By making such a request, would not the Jewish authorities have rendered themselves in the eyes of the Roman authorities guilty of treason against the central government? Yet, this author wishes us to believe that the Jewish leaders together with the mob, made such a request of Pilate, and the latter granted their request!

Besides, the witnesses for the Prosecution contradict one another regarding this episode of Barabbas. Plummer ("Matthew." p. 388) points out the contradictions with reference to Pilate's offer of release, thus: "Matthew says that Pilate proposed the alternative of release, 'whom will ye that I release,' etc. Mark seems to mean that the multitude came to ask for Barabbas, and that Pilate proposed 'the king of the Jews,' instead. Luke does not mention the custom, for XXIII : 17, is an interpolation: but he says that when Pilate proposed to release Jesus, the people cried out. 'Away with this man, and release unto us Barabbas.' In John, Pilate reminds the Jews of the custom, and proposes that the

king of the Jews be released in accordance with it (John XVIII : 39)."

22. See Matthew, n. 228.

23. See John, n. 215.

24. Rosadi ("Trial of Jesus," ch. XXI) remarks: "The procurator had within his reach the most expeditious means of escaping from this difficulty. It was not for him to enter into discussions or to attempt to parley with the crowd. It was not for him to rouse suggestion by proposing the free pardon of one of two prisoners. His duty as judge and arbiter of the accusation was to freely exercise his power. It was for him to determine upon a sentence, and not upon the surrender of the prisoner."

25. Such is the interpretation placed upon the Matthean text by the majority of Christian commentators. McNeile ("Matthew" XXVII : 25) comments: "The Jewish nation invokes the guilt upon itself. From the same circle of tradition as v. 24, *supra*." And this author contends that the motive of this circle of traditions was (*l. c.* 24) "to increase the guilt of the Jews by lessening that of Pilate." (See pp. 594-5.)

Plummer ("Matthew," p. 391) comments: "The point of the tradition which Matthew preserves is that all the Jews who were present accepted the responsibility. The crime of murdering the Messiah is to this extent a national one." This is the echo of the ages! Thus speak the representatives of the Christian Church in our own times! This is the sense of justice the followers of Jesus display after nineteen centuries of Christian teaching of brotherly love!

26. See Mark, n. 197.

27. See John, n. 216.

28. See Matthew, n. 259.

29. To this very day, Christian commentators have been unable to ascertain from this text whether three or four women were present at the cross. (See John, n. 230.)

30. See John, n. 30.

31. McNeile ("Matthew" XXVII : 45) admits: "But the probability must be recognized that the account (of darkness) is influenced by the Old Testament predictions of cosmic catastrophes." (See Mark, n. 217.)

32. See Matthew, n. 270.

33. See Matthew, n. 282.

34. See Mark, n. 217.

35. See Matthew, n. 285.

36. Mark (XV : 43) and Luke (XXIII : 50) assert that

Joseph was a member of the Sanhedrin, "an honorable councillor." As such, some Christian commentators contend, Joseph had to wait until the evening because he was unable to bury the body of the Nazarene during the festival day of Passover. But these learned commentators seem to be unaware that in the Jewish religious law the Sabbath-day is considered holier than a Festival, and that a pious Jew who abstains from burying the dead on a Festival, will surely refrain from doing it on the Sabbath.

37. Swete, without evincing any doubt, comments ("Mark" XV : 46): "On his way back to Golgotha, Joseph provides himself with linen. His next task was to remove the Body from the cross." Surprising how uninvestigating Christian commentators become at times! (See Mark, n. 233.)

38. See Matthew, n. 88.

39. Matthew (XXVI : 32) likewise stated that Jesus himself had told his disciples that he would appear to them in Galilee after his resurrection.

40. See John, n. 273.

41. See Mark, n. 313.

42. Gould ("Mark," "The Resurrection," p. 309) says: "But the Synoptical Gospels, in the main, in their record of the public ministry of Jesus, are interdependent, and so there is an unusual sameness about them. This should not weaken their testimony, when they become independent, and so variant." Superfluous to say that this is not sound logic. What will this author do with the numberless contradictions pointed out in this work?

43. It has been proven (pp. 394-5) that repentance had been known by the Hebrews from time immemorial.

44. See Matthew, n. 143, and Luke, n. 32 where it is proven that as recorded in the Gospels, Jesus himself and his disciples during his lifetime spoke of an earthly kingdom. The dogma that Jesus would be king over a celestial kingdom, was a thought that developed after the crucifixion, when Jesus no longer could be accepted as a terrestrial king. There can be no doubt, therefore, that the testimony of St. John (XVIII : 36-37), that Jesus had told Pilate that his kingdom was not of this world, was a doctrine developed by the early Christians after the death of Jesus. (See pp. 635-8.)

45. It is remarkable to note that the Johannine Gospel contains evidence that prior to the proceedings before the Sanhedrin and before Pilate, attempts had been made to take the life of the Nazarene, first by the Jews as a whole, and then by Caiaphas and his council. The attempt by the Jewish populace was spontan-

eous and unpremeditated—an attempt to stone him because he had made himself equal with God.

In one instance, as related by John (V : 16, 18), the Jews, apparently a mob without the guidance of authority, first sought to kill him because in their opinion he had profaned the Sabbath. Thereafter "the Jews sought the more to kill him, because he not only had broken the Sabbath, but said also that God was his Father, making himself equal with God."

On another occasion, Jesus declared before the Jews (John X : 30, 31): "I and my Father are one." And because of that "the Jews took up stones again to stone him." Then the Jews explained to Jesus why they sought to kill him (verse 33): "For a good work we stone thee not; but for blasphemy; and because thou, being a man, makest thyself God."

When the Jewish authorities had been informed of Jesus' activities, according to John (XI : 47-48), "The chief priests and the Pharisees gathered a council," and deliberated what to do. They said: "If we let him thus alone, all men will believe on him: and the Romans shall come and take away both our place and our nation." Then Caiaphas the high priest said (l. c. verses 49-50): "Ye know nothing at all, nor consider that it is expedient for us, that one man should die for the people, and that the whole nation perish not."

It cannot be ascertained whether these narratives contain any element of truth. If, however, we are to put any credence in them, it would follow that the multitude of Jews sought to stone the Nazarene for religious violations—for the breaking of the Sabbath laws, or for claiming to be equal with God. The members of the Sanhedrin, on the other hand, wished to act on political grounds; they were afraid that if Jesus should win many followers among the Jews, the Romans would find an excuse to destroy the Temple and to exile them from their land. They thought that the adherence of the Jews to any cause or to any man would be considered by the Romans as rebellion against Rome.

It is strange to note that the Jewish multitude, the rabble, were under the impression that there was legal justification for stoning Jesus to death because he was guilty of the religious offense of blasphemy, while the Jewish jurists could find no such justification in law, and therefore resorted to political reasons. Later on, however, the same jurists found him guilty of the capital crime of blasphemy (Matthew XXVI : 64-66; Mark XIV : 62-64.)

It is most difficult to follow these narratives.

46. Christians must necessarily admit that the prayer for

pardon alleged to have been made by Jesus on the cross, could not have been confined to one particular group of men. They cannot, for instance, argue that Jesus prayed only for the Roman executioners and not for the Jews.

Farrar ("Luke" XXIII : 34) voices the opinion of many Christian authors when he comments: "We must surely suppose that the prayer was uttered not only for the Roman soldiers, who were the mere instruments of executors, but for all his enemies."

47. See Matthew, n. 134.

48. Plummer ("Matthew," p. 78), in justifying the use of the expression, "Ye heard that it was said" (Matthew V : 21, 27, 33, 38, 43), instead of, "ye have seen that it was written," remarks: "Christ is addressing an illiterate crowd, most of whom can neither read nor write."

49. The Talmud (Yerushalmi, Shabbat XVI : 8) narrates that Rabban Yohanan ben Zakkai spent eighteen years in Arab, near Sepphoris in Upper Galilee, and that during this period only two cases came before him. He then exclaimed: "Galilee, Galilee, hater of the Law, thou shalt be forced by the Roman collectors." Meaning, that they will be forced to accept the yoke of the Romans instead of the yoke of the Law of God which they neglected. (See also John I : 46; VII : 52, and Mark, n. 224.)

50. See Matthew, n. 208.

51. See Matthew, n. 313.

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INDEX

(Abbreviations used in this index: Mt.—Matthew; Mk.—Mark; Lk.—Luke; Jn.—John; Ex. Op.—Expert Opinion; Summ.—Summations. The references to these designations can be found in the appropriate section in the Notes and Comments, pp. 659-815.)

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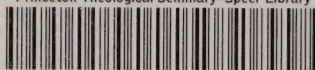
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